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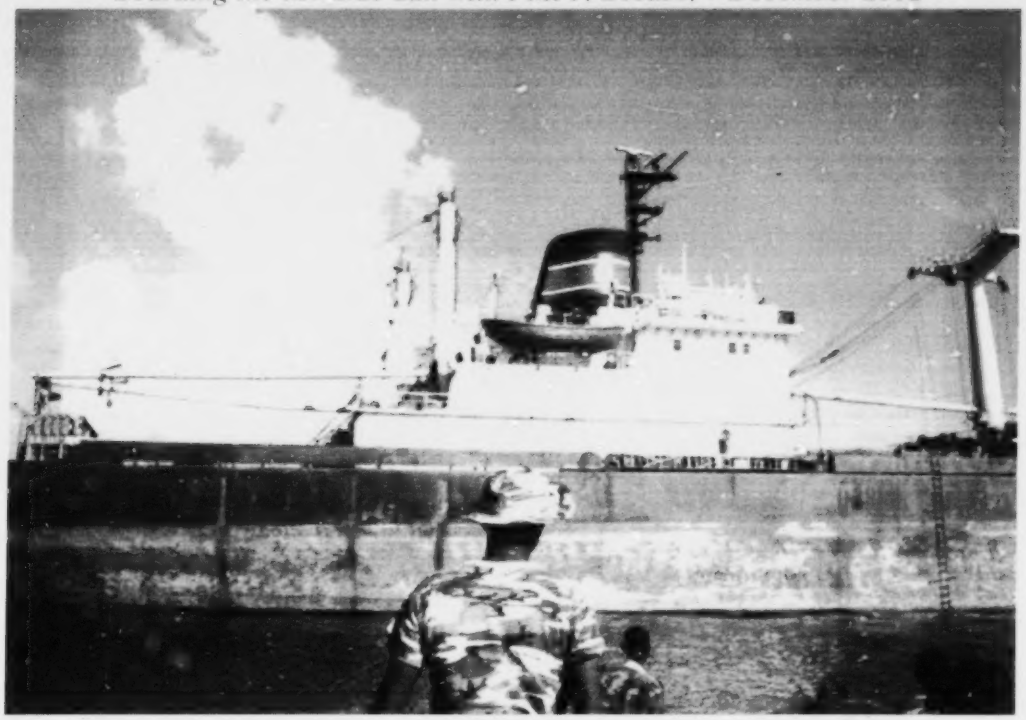
Annex 6.1.d: AMISOM arms and ammunition storage (STRICTLY CONFIDENTIAL)*

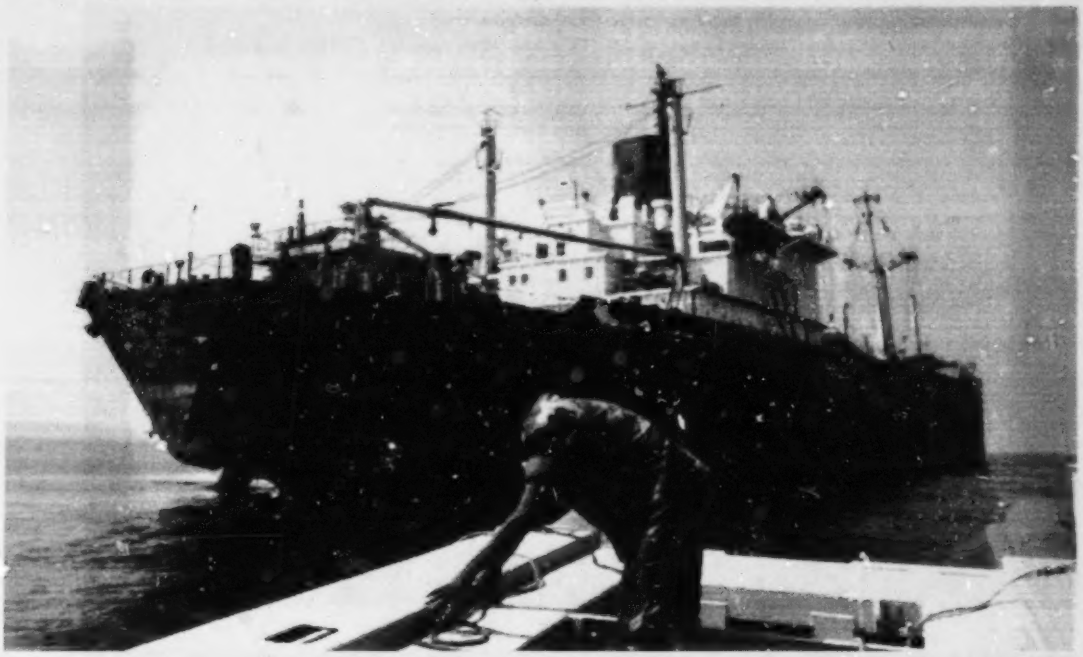
* The annex has not been reproduced in the pesent document because it is strictly confidential.

Annex 6.1.e: The case of the MV Dae San

Boarding the MV Dae San with PMPF, Bosaso, 7 December 2012

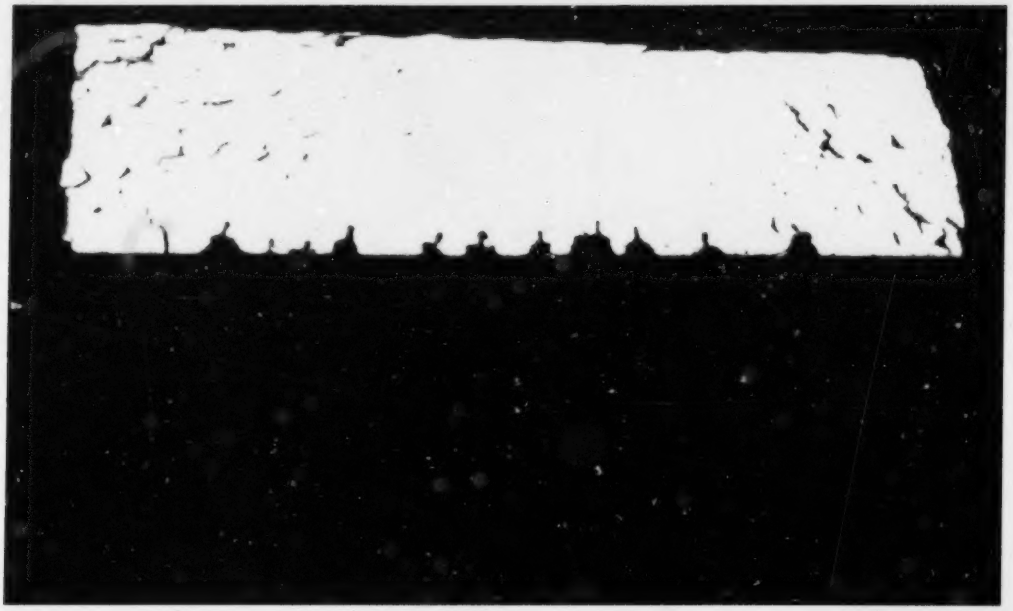


Boarding the MV Dae San with PMPF, Bosaso, 8 December 2012. Source: PMPF



Boarding the MV Dae San with PMPF, Bosaso, 8 December 2012

Residual cement cargo, MV Dae San, Bosaso, 7 December 2012



Annex 6.1.f: Arms, ammunition and military equipment seized on the Jihan 1

Translated from Arabic by the United Nations Secretariat on 22 May 2013

Republic of Yemen

Office of the Public Prosecutor

Office of the Special Court of Cassation Prosecutor

Aden governorate

In the name of God, the Merciful, the Compassionate

Justice is the Foundation of Government

[Seal of the Republic of Yemen]

No.:

Date:

Attachments:

	Item seized	*No. of items per box*	*Details*
1	122 mm rockets (Katyusha)	18 cartons	18 rockets
2	C4 explosive belts	97 cartons	16,716 blocks
3	Strela-2 anti-aircraft rockets	5 cartons	10 rockets
4	Strela rockets (OW-01M)	5 cartons	10 rockets
5	RPG7 launchers[1]	5 cartons	10 rockets
6	7.62 x 9mm automatic[-weapon] ammunition	316 cartons	316,000 cartridges
7	7.62 x 54 Czech ammunition	141 cartons	124,080 cartridges
8	12.7 x 81 Dushka ammunition	147 boxes	12,495 cartridges
9	Explosives: sorbitol powder[2]	199 boxes	4,975 kg
10	Explosives in plastic containers (RDX)	133 containers	133 containers
11	Fire control system (BESOL)	5 devices	5 devices with base
12	Artillery binoculars	5 cartons	5 binoculars with base
13	BAB2 artillery system	5 binoculars	5 binoculars
14	Laser binoculars (rangefinder)	10 binoculars	10 binoculars
15	N14-K night vision binoculars[3]	48 binoculars	48 binoculars
16	Captain's 7 x 42 binoculars[4]	50 binoculars	50 binoculars
17	Compasses	2 cartons	90 compasses

[1] The first five items were not included in the original and were located on internet by the translation service of the United Nations Secretariat, accessed at http://www.yafa-news.net/51915.html on the date of translation.

[2] Confirmed through website of official Yemen news agency. See http://sabanews.net/ar/news297922.htm.

[3] Possibly goggles or scopes.

[4] The Arabic word is القايد.

	Item seized	*No. of items per box*	*Details*
18	Silencers	66 silencers	66 small and large silencers
19	Identification systems for explosives	310 devices	310 devices
20	Relays for explosive devices	132 relays	132 relays
21	Cables	1 carton	1 carton
22	Small wires[5]	1 carton	1 carton
23	Explosive devices	186 devices	186 devices
24	Grey-coloured remote control devices	50 devices	50 devices
25	Identification systems for explosives[6]	415 devices	425 devices
26	Black-coloured remote control devices	200 devices	200 devices
27	Grey-coloured explosive devices	60 devices	60 devices
28	Electrical detonators[7]	2 cartons	800 detonators
29	Bags containing an integrated explosive device that can be detonated by remote control	66 boxes	396 bags

III. Photographs of the ship and its cargo of weapons and explosives.

IV. A compact disc containing the interviews of the accused conducted by the United Nations panels.

The Office of the Prosecutor reserves the right to present further evidence in the course of the trial.

(*Signed*) Walid Ahmad **Kazim**
Deputy Special Criminal Prosecutor, Aden governorate

[5] Literal translation. More likely "short".
[6] The variance between the two columns is in the original Arabic text.
[7] The literal translation would be "capsules".

Annex 6.2: Non-compliant States and organizations

Security Council Resolution 2093 (2013) framework for the development of the Security Forces of the Federal Government of Somalia

1. In paragraph 38 of resolution 2093 (2013), the Security Council decides that the measures imposed in paragraph 5 of resolution 733 (1992) and paragraphs 1 and 2 of resolution 1425 (2002) do not apply, if notified at least five days in advance to the Committee established pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (hereafter "the Committee") for its information, to deliveries of weapons or military equipment or the provision of advice, assistance or training, intended solely for the development of the Security Forces of the Federal Government of Somalia, with the exception of specific items set out in the annex of the resolution.

2. Pursuant to paragraph 38 of resolution 2093 (2013), such notifications from the Somali Government must include information about the type and quantity of weapons, ammunitions, military equipment and material to be delivered, and the date of delivery. Member States delivering assistance can also, after informing the Federal Government of Somalia of its intentions, make such notifications.

3. In addition to this notification procedure for exemptions to the arms embargo for the Federal Government of Somalia, resolution 2093 (2013) introduces other unrestricted and standing exemptions, including for United Nations personnel and "AMISOM's strategic partners" operating under the African Union Strategic Concept of 5 January 2012[1] and in cooperation and coordination with AMISOM. On 16 April 2013, the Monitoring Group sent a letter to the Special Representative of the Chairperson of the African Union Commission for Somalia (SRCC), Ambassador Mahamat Saleh Annadif, requesting a list of strategic partners of the African Union Mission in Somalia. No reply has been forthcoming.

4. Paragraphs 11 (b) and 12 of resolution 1772 (2007) continue to apply to supplies of weapons and military equipment, and technical training and assistance intended solely to develop those Somali security sector institutions which were excluded from the ambit of resolution 2093 (2013), such as security forces of regional administrations (namely Somaliland, Puntland, Galmudug, and any future regional state recognised by the Federal Government of Somalia), and the factions of Ahlu Sunna wal Jama'a (ASWJ) formally associated with the Somali Government. Since international, regional and subregional organisations are also excluded from the provisions contained in paragraph 38 of resolution 2093 (2013), the exemption procedure stipulated in paragraph 3 of resolution 1916 (2010) continue to apply.

5. According to the Committee Guidelines revised on 30 May 2013, the procedure established by resolution 1772 (2007) could be used by a Member State or an international or regional organisation wishing to supply the Federal Government of Somalia with items enumerated in the annex of resolution 2093 (2013).

[1] PSC/PR/COMM.(CCCVI), 5 January 2012.

6. Accordingly, the regional representative of the United Nations Office on Drugs and Crime (UNODC) in Kenya, sent an exemption request on 24 April 2013 to the Chairman of the Committee in accordance with paragraph 12 of resolution 1846 (2008) and paragraphs 11 (b) and 12 of resolution 1772 (2007). The Committee had no objection to UNODC support to Somali security sector institutions in Puntland and Somaliland.[2]

7. Nonetheless, the Monitoring Group recommends that the Security Council should consider for its next resolution on Somalia consolidating and summarising the existing provisions for exemptions from the arms embargo, currently included in multiple resolutions, into a comprehensive, single exemption framework.[3]

AMISOM

8. In paragraph 2 of resolution 2093 (2013), the Security Council has reiterated again to AMISOMits request for the establishment "without any further delay" of a guard force of an appropriate size to provide security, escort and protection services to personnel from the international community. This request was previously made in paragraph 5 of resolution 2010 (2011) and repeated in paragraph 9 of resolution 2036 (2012).

9. AMISOM, however, has yet to established the guard force. Furthermore, according to diplomatic and military sources, AMISOM is instead directing diplomatic personnel planning missions to Mogadishu to request Somali Federal authorities for the provision of security details, contrary to paragraphs 1 (c) and 2 of resolution 2093.[4]

10. Consequently, as observed by the Monitoring Group in its previous report,[5] diplomatic personnel on mission in Mogadishu have to rely on private contractors for movements between the international airport and Villa Somalia, generating market opportunities for local and international security providers operating at times with equipment imported into Somalia in violation of the arms embargo, and developing a business model which remains largely unregulated and enmeshed with the private interests of high-ranking officials within the Federal security and intelligence services (see annex 6.3.).

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[2] Official correspondence referenced S/AC.29/2013/OC.18.

[3] Currently, exemption procedures are dispersed across the following resolutions: paragraph 3 of resolution 1356 (2001), paragraphs 11 (b) and 12 of resolution 1772 (2007), paragraph 12 of resolution 1846 (2008), paragraph 3 of resolution 1916 (2010), paragraph 9 of resolution 1950 (2010) and paragraph 38 of resolution 2093 (2013).

[4] Meetings and e-mail communications with Washington and Nairobi-based military contacts, 2012-2013; meeting with UNPOS head of security, Mogadishu, 24 October 2012; and interview with a Nairobi-based diplomatic source, 26 April 2013.

[5] See S/2012/544, annex 5.5, paragraph 42.

Djibouti

11. According to media reports quoting official statements,[6] on 4 April 2013 the Government of Djibouti donated to Somalia, on the occasion of a State visit of Somali Prime Minister Abdi Farah Shirdon, several dozens of Bedford military trucks and 50 Saxon AT105 armoured personnel carriers (APCs) (see annex 6.2.a.).

H.E. Prime Minister Abdi Farah Shirdon inspecting a Saxon AT105 armoured personnel carrier, at the hand-over ceremony at Sheikh Osman military camp in Djibouti, on 4 April 2013

12. The Monitoring Group is unaware of any notification to the Committee from the Somali Federal Government or, alternatively, from the Government of Djibouti, regarding this donation. On 19 April 2013, the Monitoring Group sent a correspondence to Abdirahman Sheikh Issa, the Somali President's National Security Advisor and the Somali Government's focal point for the implementation of resolution 2093 (2013), requesting clarification and additional information. No reply has yet been forthcoming. If confirmed, this significant donation, in terms of type of military equipment and number of vehicles, would represent the principal technical violation of the arms embargo observed by the Monitoring Group during the reporting period.

Egypt

13. Pursuant to paragraphs 33 and 38 of resolution 2093 (2013), on 16 April 2013, the Arab Republic of Egypt notified on 16 April 2013 the Committee of its intention to provide training courses for officers of the Security Forces of the Federal Government of Somalia, after informing the Federal Government of Somalia.[7] As such, Egypt was the first Member State

[6] Accessed at http://www.raxanreeb.com/2013/04/somalia-government-accepts-material-donation-to-improve-security-forces-from-djibouti/ on 20 April 2013.

[7] Letter to the Chairman of the Security Council Committee on Somalia and Eritrea, 16 April 2013.

delivering assistance to notify, as an alternative to the FGS' obligation to do so, the Committee in accordance with the procedures stipulated in resolution 2093 (2013).

14. However, the Monitoring Group also received credible reports of two shipments of a military nature delivered at the end of April 2013 in assistance to the Somali Federal Security Forces by the Government of Egypt for which the Committee did not receive a notification.[8] During a telephone conversation of 29 May 2013, a Nairobi-based Egyptian diplomat denied that any shipment of weapons or ammunitions could have been delivered to Somalia without prior notification.[9]

15. In addition, according to local media, the commander of the Somali naval forces, Admiral Farah Qare, welcomed during a press conference on 4 June 2013 in Mogadishu a delegation from the Egyptian Ministry of Defence, and stated that "the Egyptian Government supports Somalia in the rebuilding of the headquarters of the Somali Ministry of Defence".[10]

16. The Federal Government of Somalia, or alternatively the Government of Egypt, are required to notify the Committee at least five days in advance of such support and assistance provided to Somali Federal Security Forces. Otherwise, such provisions constitute potential violations of the arms embargo on Somalia.

Ethiopia

17. The Monitoring Group has received from the Government of Ethiopia a detailed list of supplies provided by the Ethiopian Ministry of Defence to Somali security sector institutions during the period of 2011 to 2012, which was circulated for the information of the members of the Committee on 2 April 2013.[11] Although provided outside the exemption from the arms embargo procedures of resolution 1772 (2007) and the Committee Guidelines, this effort of transparency contrasts with the opacity that previously characterised the Ethiopian involvement in Somalia.

[8] Meeting with Nairobi-based intelligence contacts, 1 May 2013, and with a Nairobi-based military intelligence contact, 5 June 2013.

[9] Telephone conversation with the Monitoring Group, 29 May 2013.

[10] "Egypt military officials arrive in Mogadishu", AMISOM daily media monitoring citing Radio Kulmiye/Radio Risaala/al Shahid, 4 June 2013; and "Egypt to help re-build Somali Ministry of Defence", Sabahi website, 5 June 2013, accessed at http://sabahionline.com/en_GB/articles/hoa/articles/newsbriefs/2013/06/05/newsbrief-06 on 8 June 2013.

[11] Letter to the Chairman of the Committee on Somalia and Eritrea regarding material support to Somalia, dated 1 April 2013.

Ethiopian air force Lockheed L-100 Hercules registered EAF1572, rotating between Mogadishu and Baidoa at Mogadishu International Airport on 19 August 2012

18. However, according to data received by the Monitoring Group, the Ethiopian air force has operated in January and February 2013, three military cargo flights to Baidoa, without prior notification of the Committee. On 22 April 2013, the Monitoring Group sent a letter to the Government of Ethiopia requesting clarification and additional information, for which no reply has yet been forthcoming.

19. Information obtained by the Monitoring Group from several UN sources indicates that these flights may be related to supply of military equipment to Ethiopian National Defence Forces (ENDF) operations on Somali territory, and therefore constitute a potential violation of the arms embargo on Somalia.

France

20. On 12 December 2012, the Government of France submitted to the Committee a notification for provision of technical assistance and support to Somali sector institutions that would be transported by air during the month of December 2012, to which the Committee had no objection.[12]

21. However, according to civil aviation records, the Government of France operated three military cargo flights to Somalia in October 2012, and one in February 2013, plus two military helicopter flights in August and December 2012 from Djibouti to Hargeisa. On 24 October 2012, the Monitoring Group witnessed at Mogadishu airport a large quantity of cargo, including large wooden boxes, being offloaded by unidentified French personnel, with the assistance of AMISOM military personnel, from a French military Transall registered 61-ZA.

[12] Official correspondence referenced S/AC.29/2012/OC.77.

Cargo from a French Transall C-160 registered 61-ZA offloaded by French personnel assisted by AMISOM, at Mogadishu International Airport on 24 October 2012

22. The Monitoring Group is unaware of any notification by France to the Committee concerning military flights to Somalia, except the one approved by the Committee in December 2012. On 17 April 2013, the Monitoring Group sent a letter to the Government of France requesting clarification and additional information.

23. In a letter dated 30 April 2013, the French Government confirmed to the Committee that such flights were conducted in order to transport support and assistance to Somali security sector institutions.[13] However, as mentioned in the previous report of the Monitoring Group,[14] paragraph 12 of resolution 1772 (2007) specifically requires that notification take place "in advance and on a case-by-case basis". Following the adoption of resolution 2093 (2013) on 6 March 2013, the Federal Government of Somalia, or alternatively the Government of France, will be required to notify the Committee at least five days in advance of any support and assistance supplied to Somali Federal Security Forces

Interpol

24. Following a press communiqué of 6 February 2013 announcing that the International Criminal Police Organization (INTERPOL) had provided "equipment and training to Somalia", the Monitoring Group requested further information from Interpol's representation in New York. In two separate letters dated 19 and 22 February 2013, the Special Representative of INTERPOL to the United Nations informed the Committee about a capacity building programme on counter-terrorism conducted in November 2012 for representatives of Somali

[13] Letter to the Chairman of the Committee on Somalia and Eritrea, 30 April 2013.
[14] See S/2012/544, annex 5.5., paragraph 13.

Federal Security Forces, in addition to the delivery between November 2011 and November 2012 of "necessary equipment to the Somali Police".[15]

25. Paragraph 12 of Security Council resolution 1772 (2007) requires notification of support to Somali security sector institutions "in advance and on a case-by-case basis". Following the adoption on 6 March 2013 of resolution 2093 (2013), the Federal Government of Somalia will be required to notify the Committee at least five days in advance of any support and assistance supplied by Interpol to Somali Federal Security Forces.

Jordan

26. According to civil aviation data, two Royal Jordanian Air Force Ilyushin Il-76 "Candid", registered RJAF361 and RJAF360, flew in August 2012 and February 2013, respectively, to Mogadishu International Airport.

27. The Monitoring Group is unaware of any notification to the Committee concerning Jordanian support to Somali security sector institutions, and on 17 April 2013 sent a letter to the Government of Jordan requesting clarification and additional information.

28. On 6 May 2013, the Permanent Mission of the Hashemite Kingdom of Jordan to the United Nations sent a detailed response to the Monitoring Group's requests in which it confirmed the flights and the delivery of assistance to the Somali security sector.[16]

29. However, paragraph 12 of Security Council resolution 1772 (2007) requires notification of support to Somali security sector institutions "in advance and on a case-by-case basis". Following the adoption on 6 March 2013 of resolution 2093, the Federal Government of Somalia, or alternatively the Government of the Kingdom of Jordan, will be required to notify the Committee at least five days in advance of any support and assistance supplied to Somali Federal Security Forces.

Kuwait

30. Civil aviation records received by the Monitoring Group indicate that the Kuwait Air Force operated one flight to Somaliland, Somalia, in November 2012. The aircraft, a Lockheed C-130 "Hercules" registered as KAF323, reportedly landed at Berbera International Airport on 30 November 2012.

31. The Monitoring Group is unaware of any notification to the Committee concerning Kuwaiti support to security sector institutions in Somaliland. On 17 April 2013, the Monitoring Group sent a letter to the Government of Kuwait requesting clarification and additional information. For the second year in a row, the Monitoring Group has not received any reply.[17]

[15] Letters to the Chairman of the Committee on Somalia and Eritrea, dated 19 February 2013 and 22 February 2013.
[16] Letter to the Secretary of the Committee, 6 May 2013.
[17] See S/2012/544, annex 5.5, paragraphs 20 and 21.

32. Therefore, in the consistent absence of notification to the Committee from the supplying Member State, and in accordance with resolution 2093 (2013), the Monitoring Group expects in the future that the Federal Government of Somalia will notify the Committee, at least five days in advance, of any support and assistance supplied by the Government of Kuwait to its security forces.

Netherlands

33. According to civil aviation data, the Royal Air Force of the Netherlands has operated two military flights to Mogadishu and Berbera, Somalia, involving, respectively, one McDonnell Douglas DC-10-30CF registered T-255 in August 2012 and one Lockheed C130 Hercules registered G-781 in December 2012.

34. The Monitoring Group is unaware of any notification to the Committee concerning Netherlands support to Somali security sector institutions. On 19 April 2013, the Monitoring Group sent a letter to the Government of the Netherlands requesting clarification and additional information. No reply has yet been forthcoming.

Somalia

35. Before the adoption of resolution 2093 (2013), it was the assessment of the Monitoring Group that technical violations of the arms embargo were the responsibility of the supplying Member State or international or regional organisation providing support to Somali security sector institutions.

36. Since resolution 2093 (2013) provides the Somali Government with the capacity to inform the Committee of support and assistance to its security forces, the Monitoring Group considers that as of 6 March 2013 the responsibility for technical violations of the arms embargo primarily rests with the Somali Federal Government.

37. Therefore, in accordance with resolution 2093 (2013), the Monitoring Group expects the Federal Government of Somalia to notify the Committee, at least five days in advance, of any support and assistance supplied by any Member State, or international or regional organisation to its security forces, in the absence of an alternative notification from the supplying party.

Provision of equipment to the Somali Police Force

38. On 22 March 2013, the Monitoring Group was informed by a diplomatic source that the Somali Police Force had recently received uniforms, weapons and vehicles in order to equip the new Public Order Management Force, called in Somali "Birmadka Booliska" and modelled along the lines of the Daraawish units, the elite mobile police units of the Siyad Barre regime.[18]

[18] Meeting with a Nairobi-based diplomatic source, Nairobi, 22 March 2013.

39. On 17 April 2013, the Monitoring Group met with the Somali Police Commissioner, General Ali Hassan Mohamed "Looyaan", who confirmed the reconstitution of the "Birmadka" units. Recruitment for the units was carried out among the Police (400 recruits), the Somali Armed Forces (300 recruits) and the National Intelligence Security Agency (NISA) (300 recruits). General Hassan "Looyaan" also acknowledged having recently received new equipment for the 1,000-strong elite police force, partly trained by AMISOM in accordance with paragraphs 9 (c) and 11 (a) of resolution 1772 (2007), and informed the Monitoring Group that the vehicles were at the time of the meeting being painted at the main Somali police garage in Mogadishu.[19]

40. The Monitoring Group is unaware of any notification to the Committee concerning material support to the "Birmadka" units of the Somali Police Forces, and General Hassan could not reveal to the Monitoring Group the name of the country that provided his Government with equipment in violation of the arms embargo.

41. The Somali Prime Minister, Abdi Farah Shirdon, officially launched the new unit on 24 April 2013, emphasizing during his speech the counter-terrorism mandate of the new "police special forces".[20]

Somali Police Public Order Management officers attending the speech of H.E. Abdi Farah Shirdon in Mogadishu on 24 April 2013

42. On 19 April 2013, the Monitoring Group sent a correspondence to Abdirahman Sheikh Issa, the Somali President's National Security Advisor and the Somali Government focal point for matters related to the implementation of resolution 2093 (2013), requesting clarification and additional information. No reply has yet been forthcoming.

[19] Meeting in Nairobi, 18 April 2013.

[20] "Prime Minister galvanizes security forces as reforms take hold", Prime Minister's Media Office, 24 April 2013.

Importation of armoured vehicles on behalf of private security companies

43. The Monitoring Group has documented one case in which the Federal Government of Somalia has authorized a foreign private security company to import into Somalia items under embargo, in lieu of approval from the Committee.

44. A letter dated 3 December 2012 addressed to the Somali Embassy in "Abdu Dubai" (*sic*) and signed by the Deputy Prime Minister and Minister of Foreign Affairs, H.E. Fawzia Yusuf H. Adam, informed Tacforce International, an Australian private security company based in the United Arab Emirates, that its request for importation of a B6-type armoured vehicle "has been officially approved" (see annex 6.2.b.).

45. On 23 February 2013, Engineer Ahmed Ma'alin Fiqi, then Director of the National Intelligence and Security Agency, requested in a second letter addressed to the Director of Mogadishu seaport to allow "the Tecforce [*sic*] International company to import the described vehicle by using Mogadishu International seaport" (see annex 6.2.b.).

B6-type Armoured vehicle at the Tacforce International compound in Mogadishu, according to a Tacforce commercial brochure

46. Consequently, the Monitoring Group considers that the Federal Government of Somalia has committed on behalf of Tacforce International a technical violation of the arms embargo, and attributes direct responsibility to the Deputy Prime Minister and Minister of Foreign Affairs, Fawzia Yusuf H. Adam, and the former Director of NISA, Engineer Ahmed Ma'alin Fiqi.

47. At the same time, the Monitoring Group had been informed separately that a representative of the Ministry of Interior of the Federal Government of Somalia requested on 17 January 2013 that the United Nations Resident and Humanitarian Coordinator's office in Mogadishu provide to Somali authorities a copy of the official correspondence from the Chairman of the Committee approving the importation of B6-type armoured vehicles for United Nations operations in Somalia,[21] in order to release four vehicles delivered at Mogadishu seaport. By doing so, Somali authorities clearly had full knowledge that

[21] Official correspondence referenced S/AC.29/2013/OC.6.

importation of B6-type armoured vehicles requires prior notification and subsequent approval from the Committee, suggesting a political motivation behind blocking the deployment of UN equipment and individual interests in facilitating the business of a private security company.

48. The Monitoring Group has repeatedly requested clarification and additional information from Abdirahman Sheikh Issa, the Somali President's National Security Advisor and the Somali Government focal point of for matters related to the implementation of resolution 2093 (2013),[22] as well as from H.E. Ambassador Dr. Elmi Ahmed Duale, Permanent Representative of the Somali Republic to the United Nations.[23] No reply has yet been forthcoming.

Implementation report from the Federal Government of Somalia in accordance with paragraph 39 of Security Council resolution 2093 (2013)

49. In paragraph 39 of resolution 2093 (2013), the Security Council requested the Federal Government of Somalia to report no later than one month after the adoption of the resolution on 6 March 2013 on the following:

(a) The structure of the Security Forces of the Federal Government of Somalia;
(b) The infrastructure in place to ensure the safe storage, registration, maintenance and distribution of military equipment by the Security Forces of the Federal Government of Somalia; and
(c) The procedures and codes of conduct in place for the registration, distribution, use and storage of weapons by the Security forces of the Federal Government of Somalia, and on training needs in this regard.

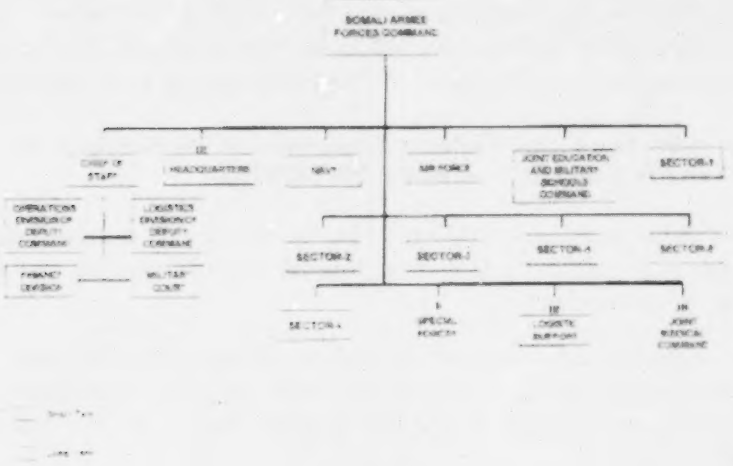
50. On 2 April 2013, the Permanent Mission of the Somali Republic to the United Nations sent a correspondence to the President of the Security Council attaching a letter from the Somali Minister of Defence, H.E. Abdihakim Mohamoud Faqi, dated 18 March 2013, with regards to the implementation of paragraph 39 of resolution 2093.

51. The letter does not detail the overall structure of the Federal Government's security forces but only provides a rudimentary outline of the organization of the Somali Armed Forces, thereby excluding the Somali Police Forces and the National Intelligence and Security Agency. Furthermore, the description of the planned structure of the Somali Armed Forces is limited to only one level of responsibility and does not include a description of the chain of command, the structure and composition of the forces in each sector, and aggregate figures (such as numbers of officers versus other ranks, and clan representation).

[22] Email communications on 19 April 2013 and 26 April 2013.
[23] Email communications on 17 April 2013 and 26 April 2013.

Structure of the Somali Armed Forces provided by theFederal Government of Somalia to the Security Council

Somali Armed Forces Command



52. As further outlined in annex 6.1., the description by the Somali Federal Government of the infrastructure in place to ensure effective management of stockpiles of weapons and ammunition clearly indicates that such infrastructure does not yet exist. Additionally, the Somali Government has not indicated to the Security Council, as requested by paragraph 39 (c) of resolution 2093, any need for training its personnel with regards to procedures and codes of conduct for the registration, distribution, use and storage of weapons.

Sudan

53. According to civil aviation records, the Government of Sudan operated three military flights to Mogadishu, Somalia, in September 2012 and January 2013, involving an Antonov An-74 registered ST-GFF.

54. The Monitoring Group is unaware of any notification to the Committee concerning Sudan's air operations and support to security institutions in Somalia. On 17 April 2013, the Monitoring Group sent a letter to the Government of Sudan requesting clarification and additional information. No reply has yet been forthcoming.

55. It is also worth noting previous Monitoring Group reports since 2009 on Sudanese support to Somali security sector institutions, including to Somali intelligence services, in violation of the sanctions regime on Somalia.[24] The Monitoring Group has requested for three

[24] See S/2010/91, paragraphs 210 and 211; S/2011/433, annex 5.5., paragraphs 8 to 10; and S/2012/544, annex 5.5., paragraphs 32 to 34.

consecutive years additional information from the Sudanese Government and has not received any reply to its letters.

56. Therefore, in the consistent absence of notification from the supplying Member State, and in accordance with resolution 2093 (2013), the Monitoring Group expects in the future that the Federal Government of Somalia will notify the Committee, at least five days in advance, of any support and assistance supplied by the Government of Sudan to its security forces.

Turkey

57. In a letter dated 8 May 2012 addressed to the Coordinator of the Monitoring Group, replying to a request for additional information regarding support to the Somali Police Force, the Government of Turkey declared that "before the commencement of the implementation of Turkey's assistance to Somali security sector, the SEMG will be duly notified in advance and the Sanctions Committee will be applied to for necessary approvals".[25]

58. Despite this undertaking, on 3 July 2012, the Government of Turkey began a training programme for 60 Somali police cadets at the Turkish National Police Academy, without prior notification of the Committee, and therefore in technical violation of the arms embargo on Somalia.

Launching ceremony of the training programme of Somali Police cadets at the Turkish National Police Academy on 2 July 2012, with representatives of the Turkish and Somali Governments

59. According to media outlets reporting on the launching ceremony at the academy on 2 July 2012, representatives of the Turkish government also committed to Somali officials present to equip the Somali Police with Turkish and foreign equipment.[26]

60. Furthermore, following an agreement signed in Ankara, Turkey, on 13 April 2012 on training, technical and scientific cooperation, pursuant to an initial agreement signed on 22 May 2010, the

[25] Letter to the Coordinator of the Monitoring Group on Somalia and Eritrea, 8 May 2012.
[26] "Turkey Begins Training Somali Forces', Somaliland Press, 4 July 2012.

official gazette of the Republic of Turkey eventually announced on 7 November 2012 the establishment of "cooperation mechanisms in military training field" between the governments of Turkey and Somalia.[27]

61. This agreement includes but is not limited to training in Turkey of Somali cadets at military colleges, schools and academies, training for Gendarmerie and Coast Guard personnel, specialization courses (like "underwater attack"), and participation in joint exercises.

62. Therefore, in the absence of notification from the supplying State, and in accordance with resolution 2093 (2013), the Monitoring Group expects in the future that the Federal Government of Somalia will notify the Committee, at least five days in advance, of any support and assistance supplied by the Government of Turkey to its security forces.

United Arab Emirates

63. The United Arab Emirates (UAE) Government notified the Committee for a first time on 21 January 2013 and a second time on 25 February 2013.[28] In addition, on 5 February 2013 and on 24 April 2013, the UAE replied to requests from the Monitoring Group for additional information concerning the provision of military equipment in potential violation of the arms embargo on Somalia.[29] Therefore, the Monitoring Group would like to acknowledge the efforts of the UAE Government to notify the Committee regarding its support to Somali security sector institutions.

64. However, one notification was submitted after the fact, a Committee member placed a hold on a second notification, and in one case, on 6 March 2013, the UAE Government withdrew its notification with the intent to resubmit it pursuant to resolution 2093 (2013) adopted that same day. However, the Committee never received such a notification. Therefore, the UAE Government is in technical violations of the arms embargo on Somalia.

65. In the future, in accordance with resolution 2093 (2013), the Monitoring Group expects that the Federal Government of Somalia will notify the Committee, at least five days in advance, of any support and assistance supplied by the UAE Government to its security forces.

Operation "Restore Hope 2" in support of Somali security sector institutions

66. Between 1 August 2012 and 28 November 2012, the UAE air force conducted 15 flights to Somalia in order to deliver medicine, foodstuffs and supplies for its field hospital in Mogadishu, in addition to uniforms and armoured vehicles for Somali security forces. More specifically, the UAE Government delivered 2,000 pairs of military boots, 3,250 sets of

[27] Article 1 of the agreement between the government of the Republic of Turkey and the Government of the Republic of Somalia on military training cooperation, Ankara, 13 April 2012; accessed at http://www.resmigazete.gov.tr/eskiler/2012/10/20121010-4-1.pdf on 25 April 2013.
[28] Letter to the Chairman of the Security Council Committee on Somalia and Eritrea, 21 January 2013.
[29] Letter to the Coordinator of the Monitoring Group on Somalia and Eritrea, 5 February 2013.

military uniforms and three armo ;red vehicles, informing the Committee after the fact of its support to Somali security sector institutions.[30]

67. The Monitoring Group has obtained a document from the Somali Armed Forces detailing how uniforms provided by the UAE Government would be distributed to different brigades in Mogadishu and the Somali Navy (see annex 6.2.c.).

68. In March 2013, the UAE Government informed the Monitoring Group and the Committee of the delivery by air to Somalia of 4,000 additional military uniforms for Somali land and naval forces.[31]

Support to the Puntland Maritime Police Force (PMPF)

69. On 13 September 2012, Ambassador H.S. Puri, then Chairman of the Committee, wrote a letter to the Permanent Representative of the UAE to the United Nations, urging its Government to take all necessary steps to prevent the use of UAE ports and airports for activities in connection with technical assistance and training, financial and other assistance to military activities in Somalia in violation of Security Council resolutions 733 (1992), 1425 (2002) and 1844 (2008).

70. In spite of the Committee's position, according to a UAE official,[32] individuals and entities in the UAE have continued to supply technical advice and financial assistance directly to the Puntland Maritime Police Force, in violation of paragraph 2 of Security Council resolution 1425 (2002).

71. Approximately 5 million USD was provided directly and indirectly to the PMPF throughout the second half of 2012, in order to maintain its main base at Bandar Siyada, west of Bosaso, and its advanced posts at Iskushuban and Eyl, Puntland. Moreover, a team of 15 expatriates continue to provide technical assistance to the PMPF for air and maritime operations, maintenance of vehicles and equipment, and administration of the camps.

[30] Letter to the Chairman of the Security Council Committee on Somalia and Eritrea, 21 January 2013.
[31] Letter to the Chairman of the Security Council Committee on Somalia and Eritrea, 25 February 2013, deemed incomplete by the Secretary of the Committee and therefore not circulated to Committee members.
[32] Meeting with the Deputy Permanent Representative of the United Arab Emirates to the United Nations, New York, 6 February 2013.

Screenshot of "The Project", a documentary featuring the PMPF in Puntland, Somalia, presented during the Tribeca film festival in New York, United States, on 21 April 2013

72. The expatriate personnel deployed unofficially by the UAE in Bandar Siyada to assist the PMPF have also directly supervised or supported several operations conducted by the PMPF, in addition to security operations conducted by the Puntland police in Bosaso and Puntland intelligence services. Regarding the latter, the Monitoring Group corroborated several reports of PMPF aircraft providing aerial surveillance and fire support to ground operations engaging Al-Shabaab in the Galgala region of Bari, Puntland, in January, February and March 2013.

73. Nevertheless, the Monitoring Group urges the international community, in accordance with paragraph 12 of Security Council resolution 1846 (2008) and paragraphs 11 (b) and 12 of resolution 1772 (2007), and within the framework of the constitutions of the Federal State and of the Puntland State of Somalia, to support the PMPF in the context of rule of law institutions, as it remains one of the most organized, trained and equipped security force in Somalia.

74. The PMPF has demonstrated on several occasions, despite the departure of the management and mentors from Sterling Corporate Services (see also annex 6.3), its capacity to deal with complex situations involving land, sea and air elements, such as the boarding of maritime vessels,[33] an assault operation against a hijacked ship[34] and the arrest of fishermen conducting illegal fishing activities off the coast of Puntland.[35] The release of 22 crew members of the MV Iceberg 1 on 23 December 2012, after a two-week campaign led by Rudolph "Roelf" Van Heerden, a former South-African army officer acting as a team leader for the expatriate personnel supporting the PMPF, constitutes the first successful rescue operation

[33] "Puntland Impounds North Korea Vessel for Discharging Cement at Sea", Puntland State of Somalia Press release, 17 November 2012.
[34] "Puntland Forces Safely Rescue 22 Hostages of MV Iceberg 1", Puntland State of Somalia Press release, 23 December 2012.
[35] "PMPF apprehended 5 Iranian illegal fishing boats", Puntland State of Somalia Press release, 23 April 2013.

of crew members on board a pirate-controlled vessel by a Somali security force, although with unauthorized foreign assistance and support (see also II.D. of the Somalia report).

75. Consequently, the Monitoring Group maintains that the Committee should consider favourably any notification of intent to support the PMPF that would be submitted by the supplying Member State or international or regional organizations.

United Kingdom

76. During the course of the current mandate of the Monitoring Group, the Government of the United Kingdom has been increasingly involved in supporting security sector institutions in Somalia, particularly in Mogadishu and in Somaliland with the establishment of a Rapid Response Unit in March 2012.

Importation of weapons, ammunition and military equipment on behalf of a private security company

77. The United Kingdom has contracted a private security provider, G4S Security Services, to provide security details for its diplomatic premises and personnel in Somalia. The United Kingdom Government confirmed in a letter to the Monitoring Group that it has imported into Somalia weapons, ammunition and military equipment for use by G4S personnel for the protection of diplomatic premises and personnel.[36]

78. However, to date no specific exemption procedure has been established under the current sanctions regime to cover security details for diplomatic premises and personnel of Member States. The Monitoring Group has sought guidance from the Committee regarding the issue of diplomatic protection.

79. In the meantime, practice is mixed. The Committee had no objection to the notification sent on 18 October 2012 by the Government of Italy regarding outsourcing of security details for its diplomatic premises and personnel to SKA International Group, a service provider company.[37] Similarly, the Committee had no objection to the exemptions requests submitted by the Governments of Sweden (14 May 2013) and Germany (3 June 2013) for the importation of armoured vehicles intended solely for diplomatic protection.[38] Within the current terms of the sanctions regime, such notification for outsourcing security details in Somalia ought to constitute "best practices".

80. The Monitoring Group recommends that the Security Council should explicitly clarify whether the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated by paragraphs 1 and 2 of resolution 1425 (2002) are to be applied to deliveries of weapons or military equipment or the provision of assistance, intended solely to provide security, escort and protection services in Somalia to personnel from the international diplomatic community.

[36] Letter to the Coordinator of the Monitoring Group on Somalia and Eritrea, 15 January 2013.
[37] Official correspondence referenced S/AC.29/2012/OC.63.
[38] Official correspondences referenced S/AC.29/2013/OC.21 and S/AC.29/2013/OC.25, respectively.

Training, technical advice, financial and other assistance to Somaliland security forces

81. The Monitoring Group understands that the United Kingdom Government has been providing operational training, technical and financial assistance to Somaliland security services, and specifically to the Rapid Response Unit (RRU) of the Somaliland Police. Since March 2012, this assistance has included the presence in Somaliland of British security/military personnel in an operational advising capacity, in addition to the provision of supplies and training on security and stockpile management notified to the Committee and subsequently approved.[39]

New vehicles displayed during the graduation ceremony of 100 Rapid Response Unit officers at the Mandera Police Training Academy, Somaliland, on 13 March 2013

82. Furthermore, the Monitoring Group understands that the British consultancy firm Adam Smith International, contracted by the Department for International Development of the United Kingdom, conducted in early 2012 a training programme in support of security institutions in Somaliland, which included training sessions for Somaliland security officials in Somalia and abroad. On 19 April 2013, the Monitoring Group sent a letter to the Government of the United Kingdom requesting clarification and additional information.

Technical and financial assistance to the Somali Federal Presidency security details

83. The Monitoring Group also understands that the United Kingdom Government has been supporting since September 2012 a programme aimed at improving the security details of the President of the Federal Government of Somalia and the physical security of Villa Somalia, which included a global assessment of the security access and perimeter of the Presidential palace, the President's security details, and the implementation of a training programme for the President's advisers. On 19 April 2013, the Monitoring Group sent a letter to the Government of the United Kingdom requesting clarification and additional information.

[39] Official correspondences referenced S/AC.29/2011/OC.35 and S/AC.29/2011/OC.36.

84. On 28 June 2013, the United Kingdom mission to the United Nations confirmed the provision by its Government of training, technical and financial assistance to Somali security sector institutions, as described above, and provided additional information to the Monitoring Group. The United Kingdom Government considers the provision of assistance in support of police operations to be consistent with the United Nations Security Council resolutions on Somalia. The Monitoring Group, however, understands that police forces in Somalia form part of the Somali Security Sector institutions as referred to in paragraph 11(b) of resolution 1772 and therefore fall within the scope of the exemption framework.

United Nations Political Office for Somalia

85. According to a report of the UN Secretary-General on Somalia to the Security Council dated 22 August 2012, "on 7 May [2012], UNPOS delivered to the Somali police force equipment provided through funding from the Government of Japan. The equipment included 19 vehicles, 1,800 items of police equipment (helmets and handcuffs) and key communications equipment".[40]

86. Moreover, in a draft report to the Secretary-General dated 6 May 2013, the Monitoring Group learnt that "critical equipment and logistical support will be provided to the Somali Government in May [2013]. This is particularly important as it provides for institutional capacity-building of the Ministry of Interior and National Security (MINS), the SPF, and strengthening local level security sector coordination arrangements (regional and district security committees), particularly in recovered areas".

87. The Monitoring Group is unaware of any notification from UNPOS to the Committee concerning support to Somali security sector institutions, since November 2011.[41] Furthermore, the Monitoring Group did not receive any reply to requests for additional information addressed to the head of the Security Sector Development office of UNPOS.[42]

88. Therefore, since January 2012, UNPOS has provided Somali security forces with vehicles, and police and communication equipment, in technical violation of the arms embargo on Somalia.

United States

89. In addition to recent media reporting,[43] the Monitoring Group received information from several diplomatic and military sources in Kenya and Somalia that the United States Government continues to provide support to the National Intelligence Security Agency in Mogadishu and to the Puntland Intelligence Service (PIS) in Bosaso and Galkayo.

90. Between 14 September 2010 and 30 March 2013, the Monitoring Group counted 236 flights to Somalia operated by Prescott Support Co. and RAM Air Services, mostly originating

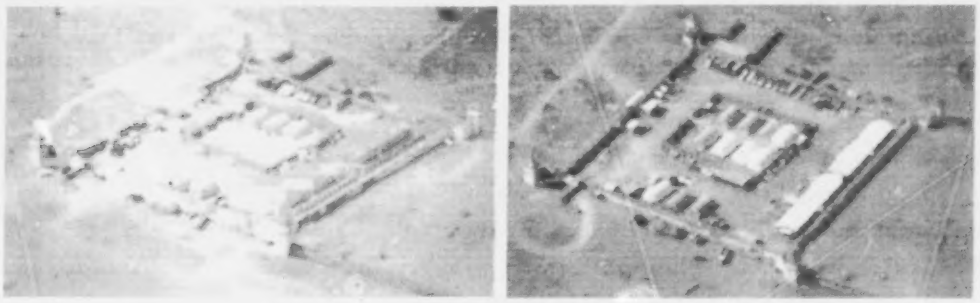
[40] S/2012/643, paragraph 44.
[41] Letter to the Chairman of the Committee on Somalia and Eritrea, 8 November 2011, requesting authorization to provide the SPF with 5 APCs and provision of support for the year 2010-2011.
[42] Email communications on 6 May 2013 and 21 May 2013.
[43] "Somalia's NISA and CIA: An Effective Partnership Against AlQaeda", Mareeg, 3 February 2013.

from Djibouti and bound for Bosaso and Galkayo, and sometimes Mogadishu. In response to its enquiry sent on 1 June 2011 by the Permanent Mission of the United States to the United Nations,[44] the Monitoring Group understands that these two U.S.-based private air companies operate flights to Somalia on behalf of the U.S. Government in support of Somali security sector institutions.

91. More specifically, Prescott Support Co. conducted 50 flights between 14 September 2010 and 9 November 2012 with a Lockheed L-100-30 Hercules (382G) bearing United States registration N-3755P (see annex 6.2.d.). Considering the average payload of this aircraft, the delivery capacity of these flights amounts to about 1,000 tons of equipment and supplies.

92. The Monitoring Group observed that, between November 2012 and December 2012, the main base of the Puntland Intelligence Service located north of Galkayo has upgraded its facilities with two additional buildings, as illustrated by the photographs below.

Aerial photographs of Puntland Intelligence Service camp located north of Galkayo, taken on 11 November 2012 (left) and 9 December 2012 (right)



93. The construction of these two buildings during the month of November 2012 coincides with four Prescott Support Co. L-100-30 flights that landed at Galkayo airport between 3 and 9 November 2012, and constituted a load capacity of up to 80 tons of cargo.

94. In addition during the same period, the Monitoring Group counted 186 flights operated by RAM Air Services to Somalia with a Saab 340 bearing U.S. registration number N-702RS, including 139 flights from Djibouti to Bosaso, 27 flights to Galkayo, 4 flights to Mogadishu, and 10 flights from Wilson airport in Nairobi to Mogadishu (see annex 6.2.d).

[44] Letter to the Coordinator of the Monitoring Group, 1 June 2011.

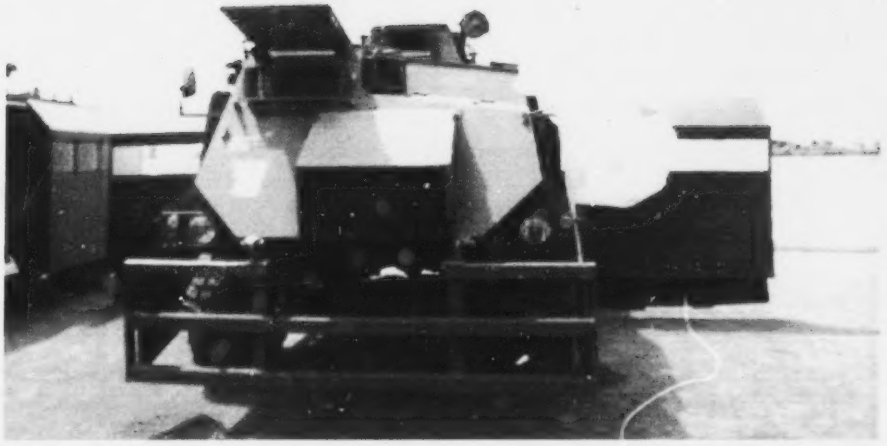
Saab 340 registered N-702RS at Djibouti airport, on 21 September 2011

95. On one occasion, the Monitoring Group received uncorroborated information about the boarding at Galkayo airport of a handcuffed and blindfolded passenger, accompanied by several other individuals. However, the United States Government has not replied to date to the Monitoring Group's request for additional information, including the passenger list, flight plan and cargo manifest, concerning that flight.[45]

96. The Monitoring Group is unaware of any notification to the Committee from the United States Government concerning support to the Somali National Intelligence and Security Agency and the Puntland Intelligence Service, and on 16 May 2012, 31 December 2012 and 16 April 2013, requested additional information.[46] No reply has yet been forthcoming.

[45] Official correspondence referenced S/AC.29/2013/SEMG/OC.42.
[46] Official correspondences referenced S/AC.29/2012/SEMG/OC.104, S/AC.29/2012/SEMG/OC.124, and S/AC.29/2013/SEMG/OC.42.

Annex 6.2.a: Vehicles donated by the Government of Djibouti to Somali Federal Government Forces[1]



[1] "Somalia receives first military donation », Raxanreeb, 4 April 2013 ; accessed at http://www.raxanreeb.com/2013/04/in-pictures-somalia-receives-first-military-donation/ on 20 April 2013.

H.E. Prime Minister Abdi Farah Shirdon and Defence Minister Abdihakim Mohamoud Haji Faqi inspecting the interior of a Saxon AT105 armoured personnel carrier

Annex 6.2.b: Letters from the Federal Government of Somalia for importation of an armoured vehicle on behalf of Tacforce International

Annex 6.2.b.i: Letter dated 3 December 2012 addressed to the Somali embassy in "Abdu Dubai"

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
WASAARADDA ARRIMAHA DIBADDA

جمهورية الصومال الفيدرالية
وزارة الشؤون الخارجية

SOMALI FEDERAL REPUBLIC
Ministry of Foreign Affairs

REF: MFA/SFR/MO/63/2012

Date: 03/12/2012

Ku: Safaaradda Soomaaliya ee

Abdu Dubai

Iyadoo latixraacayo warqadda sumaddeedu tahay **SUM: WAG&AQ/080912**, kuna taariikhaysan 06 November 2012 ujeedadeeduna ahayd oggolaansho lasoo degis hal baabuur oo nooca aysan xabaddu Karin, ayaa la idinku wargelinayaa in aminkaa la oggolaaday.

Nooca baabuurka:

Make/Model	Interior	CHasis No	Color	Model Year	Engine No.
Toyota LC 200G	Grey Cloth	JTMDV09J68502886	White	2011	4.5L D/M

Wada shaqeyn wacan

Marwo: Fawsia Y. H.Adam
Ra'iisul wasaare kuxigeen ahna
Wasiirka Arrimaha Dibadda

Contact Tel: +2521-854040/41/Fax: 2521-235959
E-mail: ministry@mofa.gov.so

Translation from Somali

Ref: MFA/SFR/MO/03, 2012 Date: 03/12/2012

To: Somali Embassy **Abdu Dubai**

Following your letter under the reference number **SUM: WAG&AQ/080912,** dated 06 November 2012 requesting approval to import one armored vehicle, you request has been officially approved

Type of the vehicle:

Make/Model	Interior	Chassis NO	Color	Model year	Engine No
Toyota LC 200G	Grey cloth	JTMDV09J68502886	White	2011	4.5L D/M

Looking forward working with you.

Yours sincerely

Signed: Fawsia Y. H. Adam

Deputy Prime minister and Minister of Foreign Affairs

Annex 6.2.b.ii: Letter dated 23 February 2013 addressed to the Director of Mogadishu seaport

Jamhuuriyadda Soomaaliya
Dawlada Federaalka
Hay'adda Sirdoonka & Nabadsugidda
Qaranka
Xafiiska Wasaaradda Guud

Federal Government
Of the Somali Republic
National Intelligence & Security Agency
Office of the Director General

Ref: X AG HNQ /043 /13.

Muqdisho: 23/02/013.

To: Maamulaha Dekadda Muqdisho

=Muqdisho=

Dr: Wasaaradda Arrimaha Gudaha & Amniga Qaranka.

Ujeeddo: Fasaxid Gaar

Waxaad ahaataadaan warqada sumaddeedu tahay MFA/SFR/MO/63/2012, kuna taariikhaysan 03/12/2012 taasoo ah ogolaanshe la soo degis hal Gaar (1) oo ah nooca aysan xabadda karin, kana soo baxday Wasaaradda Arrimaha Dibadda faanfaahinta Gaarigaas waa sida noos ku xusan

Make/Mode	Interior	Chassis No	Color	Model Year	Engine No
Toyota LC 200	Grey Cloth	TMDV09J6B50288	White	2011	4.5LD/M

Sidaas awgeed mar adda Sirdoonka & Nabad-Sugidda Qaranka waxba kama qabto in loo ogolaado Shirkadda Tesforce International in ay kala soo baxdo Dekedda Caalamiga ah ee Muqdisho gaar

Mahadsanid

Eng Axmed Maxamed Ilig
Agaasimaha Guud ee HNQ

Translation from Somali

Ref: X/AG/HNQ/043/13 Mogadishu: 23/02/013.

TO: Manager of Mogadishu seaport.

Og: Ministry of Interior and National Security.

RE: Approval to import a vehicle

Following the letter reference MFA/SFR/MO/63/2012 dated on 03/12/2012, from ministry of foreign affairs approving importation of one armored vehicle, below are the details of the vehicle:

Make/Model	Interior	Chassis No	color	Model Year	Engine No.
Toyota LC 200G	Grey Cloth	JTMDV09J6B502886	White	2011	4.5LD/M

The National inteligence Service and National Security have no objection of allowing the **Tecforce International Company** to import the described vehicle by using Mogadishu international seaport.

Signed:

Engineer Ahmed Ma'alin Fiq

Annex 6.2.c: Letter from the Commander of the Somali National Armed Forces for distribution of uniforms provided by the United Arab Emirates

Lr:XTC/XDS/376/12
Date:09/08/2012

رقم: ----------
تاريخ: ----------

COMMANDER OF SOMALI NATIONAL ARMED FORCES

SUBJECT - REQUEST UNIFORM

TO - HEAD OF LAF TEAM [illegible] =MOGADISHU=

We would like to distribution plan Uniform in agreement of Deputy chief of staff and LAF Team:-

1st brigade	900
2nd brigade	600
4th brigade	600
5th Emergency battalion	300
[illegible]	100

The above distribution plan will receive [illegible] brigade, emergency battalion and Navy.

You Sincerely

Mag Gen
Deputy Chief of Staff Somali National Armed
A/karim Yusuf Adam

Annex 6.2.d: List of flights operated by Prescott Support Co. and RAM Air Services in Somalia between August 2012 and March 2013

Annex 6.2.d.i: List of flights operated by Prescott Support Co. in Somalia between August 2012 and March 2013

2012/02/29	PSK308	C130	N3755P	HDAM	HCMF	Prescott Support Co.
2012/03/01	PSK308	C130	N3755P	HDAM	HCMF	Prescott Support Co.
2012/03/03	PSK308	C130	N3755P	HDAM	HCMF	Prescott Support Co.
2012/03/03	PSK308	C130	N3755P	HDAM	HCMF	Prescott Support Co.
2012/03/04	PSK308	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/03/04	PSK308	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/03/05	PSK308	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/08/10	PSK329	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/08/10	PSK329	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/08/12	PSK329	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/08/15	PSK329	C130	N3755P	HDAM	HCMF	Prescott Support Co.
2012/08/17	PSK329	C130	N3755P	HDAM	HCMF	Prescott Support Co.
2012/09/22	PSK339	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/09/22	PSK339	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/09/23	PSK339	C130	N3755P	HDAM	HCMF	Prescott Support Co.
2012/11/03	PSK302	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/11/04	PSK302	C130	N3755P	HDAM	HCMF	Prescott Support Co.
2012/11/04	PSK302	C130	N3755P	HDAM	HCMF	Prescott Support Co.
2012/11/05	PSK302	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/11/08	PSK302	C130	N3755P	HDAM	HCMR	Prescott Support Co.
2012/11/09	PSK302	C130	N3755P	HDAM	HCMR	Prescott Support Co.

Annex 6.2.d.ii: List of flights operated by RAM Air Services in Somalia between August 2012 and March 2013

2012/08/03	N703RS	SF34	N703RS	HDAM	HCMF	RAM Air Services
2012/08/09	N703RS	SF34	N703RS	HDAM	HCMF	RAM Air Services
2012/09/02	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/09/10	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/09/13	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/09/17	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/09/21	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/09/22	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/09/30	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/10/09	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/10/15	N792RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/10/16	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/10/22	N702RS	SF34	N792RS	HDAM	HCMF	RAM Air Services
2012/11/09	N702RS	SF34	N792RS	HDAM	HCMF	RAM Air Services
2012/11/16	N7902RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/11/17	N702RS	SF34	N792RS	HDAM	HCMF	RAM Air Services
2012/11/21	N702RS	SF34	N792RS	HDAM	HCMF	RAM Air Services
2012/11/30	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/12/09	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/12/15	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/12/16	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/12/19	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/12/21	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2012/12/26	N702RS	SF34	N70RS	HDAM	HCMF	RAM Air Services
2012/12/30	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/01/10	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/01/14	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/01/16	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/01/23	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/01/25	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/01/29	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/01/31	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/02/07	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/02/11	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/02/12	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/02/17	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/02/19	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/03/06	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/03/06	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/03/13	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/03/19	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2013/03/20	N702RS	SF34	N702RS	HDAM	HCMF	RAM Air Services
2011/06/18	N702RS	SF34	N702RS	HDAM	HCMF/HDAM	RAM Air Services
2013/02/06	N702RS	SF34	N702RS	HDAM	HCMM	RAM Air Services
2013/02/09	N702RS	SF34	N702RS	HDAM	HCMM	RAM Air Services

2013/03/04	N702RS	SF34	N702RS	HDAM	HCMM	RAM Air Services
2013/03/14	N702RS	SF34	N702RS	HDAM	HCMM	RAM Air Services
2012/11/20	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2012/12/02	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2012/12/24	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2013/01/09	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2013/01/20	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2013/01/28	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2013/02/02	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2013/02/15	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2013/02/21	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2013/03/13	N702RS	SF34	N702RS	HKNW	HCMM	RAM Air Services
2011/02/24	N703RS	SF34	N703RS	HAAB	HCMR	RAM Air Services
2010/11/16	N703RS	SF34	N703RS	HDAM	HCMR	RAM Air Services
2010/11/19	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2011/08/16	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2011/11/18	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2011/12/11	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/01/22	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/03/08	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/08/11	N703RS	SF34	N703RS	HDAM	HCMR	RAM Air Services
2012/08/18	N703RS	SF34	N703RS	HDAM	HCMR	RAM Air Services
2012/08/26	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/08/28	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/08/31	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/09/03	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/09/27	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/10/04	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/10/12	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/10/13	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/10/28	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/11/10	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/11/25	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/12/05	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/12/13	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/12/22	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2012/12/28	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2013/01/06	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2013/01/13	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2013/01/15	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2013/02/05	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2013/02/08	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2013/02/26	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services
2013/03/02	N702RS	SF34	N702RS	HDAM	HCMR	RAM Air Services

Annex 6.3: Private security companies

Mogadishu

1. For companies providing security details in Mogadishu to official guests of the FGS, it is the understanding of the Monitoring Group that the Permanent Mission of the Somali Republic to the United Nations in New York bears the responsibility for notifying the Committee established pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (hereafter "the Committee"), in accordance with paragraphs 33 and 38 of resolution 2093 (2013), as arguably it represents a form of support to the FGS security sector.

2. In fact, temporarily outsourcing escort services to duly licensed private companies would avoid devoting scarce resources of the Somali Police Force, in terms of manpower, equipment and vehicles, to the protection of foreign guests, and instead reserve these resources for the protection of the Somali people, as stated in paragraph 33 of resolution 2093.

Tacforce International

3. The Monitoring Group has received testimonies from Nairobi-based diplomats regarding their experience in planning security details for movements between Mogadishu International Airport and Villa Somalia. AMISOM refuses to provide support, despite an unambiguousness mandate and repeated requests from the Security Council to establish "without further delay" a guard force to provide security, escort and protection services to personnel from the international community.[1] Consequently, diplomatic missions request the assistance of the Somali Ministry of Foreign Affairs, which directs them to Tacforce International (see annex 6.2). In an earlier letter dated 3 April 2012, addressed to "UN Agencies" and "International NGO's", then Minister of Interior and National Security, Abdisamad Mohamud Hassan, "strongly support[ed] the use of Tacforce International by all foreign companies wishing to conduct business in Somalia for all security and life support requirements" (see annex 6.3.a).

4. Despite these credentials, the Monitoring Group has established that Tacforce International, a security company based in Dubai and managed by two ex-military Australian nationals, imported into Somalia in February 2013 a B6-type armoured vehicle in violation of the arms embargo, and with the complicity of Somali officials from the National Intelligence and Security Agency (NISA) and the Ministry of Foreign Affairs (see annexes 6.2, 6.2.c and 6.3.a). At an unknown date, it also imported a certain number of flak jackets and military helmets.

5. At its own initiative, the Monitoring Group briefed the Chief Executive Officer of Tacforce International, Arjen Valkenburg, on the sanctions regime on Somalia and its exemption procedures prior to the importation of the vehicle.[2] Therefore, the Monitoring Group notes that Tacforce International disregarded the arms embargo restrictions imposed by Security Council resolutions, as well as the potential implications of violations.

[1] Paragraph 2 of Security Council 2093 (2013); see also annex 6.2.
[2] Meeting in Dubai, 25 November 2012.

6. In addition, the Monitoring Group notes with concerns that members of the international community are contracting security companies operating with protective clothing and non-lethal military equipment imported in violation of the arms embargo on Somalia.

G4S Security Services

7. G4S Security Services is currently providing protection to United Kingdom diplomatic premises and personnel with weapons, ammunition and military equipment imported into Somalia for the purpose.

8. As stated in annex 6.2, the Monitoring Group recommends that the Security Council should explicitly clarify whether the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated by paragraphs 1 and 2 of resolution 1425 (2002) are to be applied to deliveries of weapons or military equipment or the provision of assistance, intended solely to provide security, escort and protection services in Somalia to personnel from the international diplomatic community.

Supreme Fuels

9. Supreme Fuels, a branch of the US Supreme Group with headquarters in the Netherlands, is contracted by UNSOA to provide fuel to AMISOM. On 8 April 2011, the Monitoring Group conducted a field inspection mission to Supreme Fuel's compound in Mogadishu and assessed, in terms of compliance with the sanctions regime, the security details employed by Supreme's security contractor, Compass integrated security solutions.[3]

10. The Monitoring Group was informed by a source with extensive knowledge of the security business in Mogadishu that in early 2012, Supreme Fuel contracted a new company, reportedly called "Sandar", to provide Supreme Fuels staff and premises with security. According to the same source, "Sandar" would be locally registered but staffed with international security officers, and owned by one Dany Richard. Richard is associated with Supreme's Fuels local partner and landlord, the businessman Mohamed Duale, who owns a local company called Nation Wide Enterprise.[4]

11. The Monitoring Group has received first-hand reports of "Sandar" personnel carrying assault rifles in Mogadishu in early 2012, as well as information regarding the importation into Somalia of protective equipment in violation of the arms embargo.[5] Notably, "Sandar" is not a known registered company, it does not have any website, contact details or legal footprint, and it has not signed the International Code of Conduct for Private Security Service Providers (ICoC).

[3] S/2011/433, annex 6.1, paragraphs 36 to 38.
[4] Meeting with a confidential source with extensive knowledge of private security companies operating in Mogadishu, 21 November 2012. See also S/2011/433, annex 6.1, paragraph 36.
[5] Meeting with a confidential source with extensive knowledge of private security companies operating in Mogadishu, 21 November 2012.

12. In a letter dated 20 May 2013, Supreme Fuels acknowledged the fact that "the subcontracted security team [was] carrying weapons to protect staff working or visiting outside of the wire".[6] However, Supreme Fuels failed to provide the Monitoring Group with the name and contacts details of its security contractor in Mogadishu, a copy of its commercial registration and operating license or permit issued by the competent authorities in Somalia for security companies, a description of the current security details in place and a list of any weapons, ammunition and military equipment imported into Somalia.[7]

13. Since UN and AMISOM efforts in Somalia could be associated with foreign armed personnel operating outside any legal framework, the Monitoring Group recommends that the UN Department of Field Support takes the necessary steps to mitigate the potential for a reputational risk.

Observations

14. The Monitoring Group urges diplomatic missions, international and regional organisations, international NGOs and private entities and individuals, to ensure prior to contracting a security provider in Somalia that the company is operating in compliance with Security Council resolutions on Somalia.

15. The Monitoring Group also recommends that the Federal Department of Foreign Affairs of the Swiss Confederation should not permit as signatories of the ICoC those companies that are acting or have acted in violation of Security Council resolutions, according to reports of the Monitoring Group and other Panels of Experts mandated oy the Security Council to monitor sanctions regimes. For those companies already signatories of the ICoC that violate Security Council resolutions, the Monitoring Group recommends that the members of the ICoC Temporary Steering Committee implement independent governance and oversight mechanisms and take the necessary action as soon as possible thereafter.

Somaliland

16. With the assistance of the Special Police Unit (SPU) of Somaliland, the Olive Group is responsible for the protection of the operations of Genel Energy, an Anglo-Turkish oil company registered in Jersey (see annex 5.5). During a meeting with the Monitoring Group, representatives of Genel Energy detailed the security measures and procedures implemented by the Olive Group to protect expatriate staff and operations in Burao, capital of the Toghdheer region of Somalia.[8] In addition, Genel Energy has invited the Monitoring Group to assess its compounds and operations in Somaliland.

17. The Monitoring Group expressed its reservations to Genel Energy representatives with regards to the following:

[6] Letter to the Secretary of the Committee on Somalia and Eritrea, 20 May 2013.
[7] Letter to Supreme Fuels, referenced S/AC.29/2013/SEMG/OC.39.
[8] Meeting with Genel Energy representatives, Nairobi, 8 May 2013.

- The payment of funds directly to SPU soldiers constitutes a form of financial support to the Somali security sector in violation of Security Council resolution 1425 (2005); and
- The importation of radio equipment and vehicles temporary allocated to the SPU assigned to Genel Energy security details is in violation of resolution 733 (1992).

18. In its previous report, the Monitoring Group noted similar violations regarding the activities in Puntland of Africa Oil/Horn Petroleum/Canmex and their security provider, Pathfinder Corporation.[9] However, as in the case of Pathfinder's operations in Puntland, the transparency of Genel Energy and its efforts to comply with the sanctions regime represent "best practices" for private companies in Somalia.

Puntland

Sterling Corporate Services

19. In July 2012, Sterling Corporate Services (SCS), that was providing training, technical assistance and support to the Puntland Maritime Police Force (PMPF) in violation of the sanctions regime on Somalia, departed from Puntland. Donors in the United Arab Emirates had interrupted funding of the programme, which had been initiated in March 2010 by Erik Dean Prince and Lafras Luitingh.[10]

20. However, Rudolph "Roelf" van Heerden, the former PMPF operations manager, remained behind as a project consultant with a team of 14 expatriates to oversee the maintenance of the PMPF base, vehicles, boats and aircraft, in anticipation of a new sponsor adopting the programme.

Pathfinder Corporation

21. Following the end of drilling at Shabeel 1 and Shabeel north sites, in the Dharoor block located south of Bosaso, most of the officers of the Exploration Security Units protecting Africa Oil were demobilised under the supervision of Pathfinder Corporation expatriates in Bosaso.

22. On 30 April 2013, Pathfinder Corporation staff departed from Puntland after the suspension of its contract with Africa Oil. The Monitoring Group understands that the equipment temporarily issued to the Puntland Police Exploration Security Unit, including vehicles and radio equipment, has since been subsumed under the responsibility of Canmex, Horn Petroleum and ultimately Africa Oil.

[9] S/2012/544, paragraphs 65 to 67.
[10] See S/2010/91, annex 6.3 and S/2012/544, annex 5.3.

Galmudug

Specialist Marine Services (SMS)

23. On 21 May 2013, the Monitoring Group received an email communication from Steven Platt, company director of Specialist Marine Services Limited, describing the current activities of his company in the Galmudug state of Somalia.[11]

24. A presentation entitled "Military Training Program" was attached to the email communication, which details a training programme for the Galmudug Armed Forces (GAF), the Galmudug Maritime Forces (GMF), the Galmudug Marine Commando (GMC) and the Special Forces Operation Group (SFOG) (see annex 6.3.b). According to this document, the mission of the Armed Forces of Galmudug is "to protect Somali interests both at home and abroad, executing the Foreign and Defence Policies of the Galmudug State Government through the exercise of military actions, along with diplomatic activities in support of GAF objectives".

Steven Platt at Galkayo airtport, unknown date

25. In his email, Steven Platt also stated the following:

> As its stands the region has little or no support with SMS Ltd making a huge contribution with regards to training, supplying of kit, equipment and uniforms to the armed forces and bringing medical aid to the area.

26. On 21 May 2013, the Monitoring Group requested additional information to the company with regards to the provision of training and equipment.[12] According to the response received,[13] SMS confirmed the deployment of a five-man expatriate team in Galkayo, which "started to carry out military training of the Galmudug Armed Forces", and provided copies of letters signed by President 'Qeybdid', including an authorization letter to carry weapons (see

[11] Email communication with the Monitoring Group, 21 May 2013.
[12] Email communication with Steven Platt, 21 May 2013.
[13] Email communication with the Monitoring Group, 27 May 2013.

annex 6.3.b). SMS also informed the Monitoring Group of the provision of the following military equipment:

Military Kit & Equipment

27. We have currently arranged for 600 complete military uniforms, this includes:

a. Combat Shirt (x2 per member)
b. Combat Jacket (x2 per member)
c. Combat Vest (x2 per member)
d. Combat Trousers (x2 per member)
e. Socks
f. Tactical Boots

28. In addition we have also made the following available:

g. Body Armour/Assault System
h. Armour Plates (x2 per member)

29. We now realise that given the interest we will require more uniforms and ECT. We have also arranged for the following communication systems:

1. Personal Radio Systems (Handheld) – 210
2. Vehicle Radio Systems – 100
3. Ops Room Radio Systems – 10
4. Personal Radio Systems (Handheld) Marine – 100
5. Marine Assets Radio System – 50
6. Satellite Mobile Phone & Antenna

30. According to Steven Platt, SMS spent to date from its own budget 320,000 USD. SMS also plans to construct a military camp in southern Galkayo, and to train up to 1500 soldiers.

31. The provision of such training, assistance and equipment to "military forces" of the Galmudug State of Somalia by Specialist Marine Services and Steven Platt constitute a large-scale violation of the general and complete arms embargo on Somalia, established pursuant to Security Council resolutions 733 (1992) and 1425 (2002).

Kismayo

Atlantean Worldwide

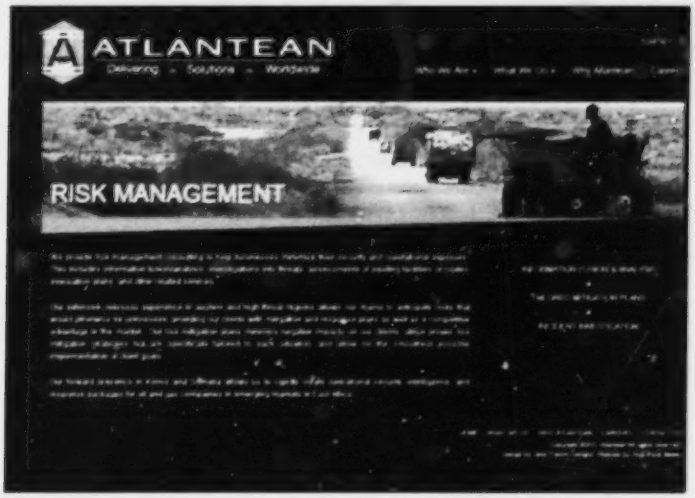
32. On 27 September 2012, Atlantean Worldwide was incorporated in Arlington, Virginia, U.S.A. Atlantean has established a partnership with the Kismayo Development Authority (KDA), which is reportedly a political extension of the Ras Kamboni militia that operates alongside the Kenya Defence Forces (KDF) contingent of AMISOM.[14] Atlantean has no relationship with the FGS in Mogadishu and is not registered as a legal business with Somali authorities.

[14] Meeting with UN official, 6 April 2013.

33. According to its website, Atlantean provides the following services:

- Government services: include "intelligence support services", and "an extensive library of exportable training curriculums" with "on-the-job" mentoring and train-the-trainer programs;
- Capacity building: includes training, advising, and consulting on topics such as "human security, counter-terrorism, maritime and border control, anti-poaching, [and] counternarcotics";
- Risk management: includes "risk management consulting to help businesses minimize their security and reputational exposure", while Atlantean's "presence in Kenya and Somalia allows us to rapidly create operational security, intelligence, and response packages for oil and gas companies in emerging markets in East Africa";[15] and
- Camp operations: include accommodation for 60 persons at Camp Kismayo, and extra services such as flight charters to and from Wilson Airport in Nairobi, and help to "arrange security escorts for camp guests wishing to explore Kismayo 'outside of the wire,' visiting sites in and around the city".[16]

Screenshot of Atlantean's website, featuring KDF/AMISOM convoy in Kismayo, accessed at [illegible] on 7 May 2013.



34. The President of Atlantean, Laura Engelbrecht, was previously president of the US-branch of a UK-based and Guernsey-registered intelligence-led security services company, New Century Corporation, headed by Colonel (retired) Tim Collins and co-owned by Michael Grunberg. Grunberg is also a shareholder, with Anthony "Tony" Buckingham and Lafras Luitingh, of Saracen Uganda, the company primarily involved with Erik Dean Prince in establishing the training programme for the Puntland Marine Force in Bosaso.[17] Furthermore,

[15] Accessed at http://atlanteanworldwide.com/company-overview on 7 May 2013.
[16] Accessed at http://campkismayo.atlanteanworldwide.com/ on 7 May 2013.
[17] See S/2010/91, annex 6.3, and S/2012/544, annex 5.3.

the offices of both Atlantean and New Century (US) are located in the same building, at 1000 Wilson Boulevard, Arlington, Virginia. However, according to New Century, there is no formal or financial relationship between the two companies.[18]

35. According to its website, Atlantean's leadership team is mainly composed of ex-military personnel, including David "Thor" McNevin, the former US Defence Attaché in Nairobi, and Kevin Stockton, who served with US Army Special Operations, the 75th Ranger Regiment and "a Special Mission Unit".[19] The company also includes as a member of the Board of Directors, US Army Major General (retired) William "Bill" Garrison, a Vietnam veteran and commander of "Task Force Ranger" in Mogadishu in 1993.[20]

36. Notwithstanding indications that Atlantean was designed to operate in Kismayo as a security company, and testimonies from UN officials that Atlantean "is offering a number of services including accommodation support and security escort services to United Nations entities",[21] Laura Engelbrecht stated in a letter to the Monitoring Group that Atlantean is "not operating a security company".[22] (See also annex 6.3.c.)

37. Engelbrecht also stated that "we are intending to use HESCO-type barriers to place around the perimeter of our Camp", while the Monitoring Group has photographic evidence from January 2013 showing that HESCO-type walls were erected months before the letter was sent.

Atlantean's "Camp Kismayo" on 12 April 2013, with HESCO-type barriers visible in the background.

38. In addition, Atlantean failed to provide the Monitoring Group, despite several requests, with the packing lists and cargo manifests of a shipment delivered at Kismayo port by Alpha

[18] Email communication with New Century Corporation, 8 May 2013.
[19] Accessed at http://atlanteanworldwide.com/leadership-team/ on 7 May 2013.
[20] Accessed at http://atlanteanworldwide.com/board-of-directors/ on 7 May 2013.
[21] Report referenced 13-RR-910-03, United Nations, 29 January 2013.
[22] Letter to the Secretary of the Committee on Somalia and Eritrea, 27 March 2013.

Logistics in December 2012, and with the characteristics of vehicles pending exportation to Somalia at the time of writing.[23]

39. Currently, the Monitoring Group has not found evidence of a clear violation of the sanction regime by Atlantean. However, it considers that Atlantean is obscuring the motives behind its presence in Somalia and the scope of its business interests in order to appear to be in compliance with the sanctions regime. Consequently, the activities of Atlantean should be closely monitored in the future.

[23] Letter to Atlantean Worlwide, referenced S/AC.29/2013/SEMG/OC.28; and meeting with Atlantean's Director of Africa Programs, David McNevin, Nairobi, 1 May 2013.

Annex 6.3.a: Letter from the Interior Minister of Somalia to UN agencies and international NGO's concerning Tacforce International

Xukuumadda Federaaliga KMG
Wasaaradda Arrimaha Gudaha
& Amniga Qaranka
Xafiiska Wasiirka

الحكومة الانتقالية الفيدرالية
وزارة الشون الداخلية والامن القومي
مكتب الوزير

Transitional Federal Government
Ministry of Interior & National Security
Office of the Minister

Ref: WAG&AQ/XW/0255/12 Date: April 03, 2012

To: UN agencies

To: International NGO's

Cc: Tacforce International

Tacforce International [illegible]

Tacforce International [illegible]

Tacforce [illegible]

Tacforce International can also provide logistic support throughout Somalia including [illegible]

[illegible]

Thanks.

H.E. Abdisamad Mohamud Hassan

The Minister

Tel: +252 61 8454558 / +252 61 8044444 E-mail: [illegible] Mogadishu, Somalia

Annex 6.3.b: Slides of a presentation on the Galmudug programme of Specialist Marine Services and official letters from Galmudug authorities

SMS Ltd will dedicate our top and most experienced consultants to advise and support the Local Armed Forces and to guide the Military Commanders, providing the necessary skills to lead by example. The MTP will focus on the following key areas

- Introduction to Galmudug Armed Forces (GAF)
- Military Fitness Training Program (MFTP)
- Weapon Handling & Training
- Military Tactics & Strategy
- Introduction (creation) of Special Forces Unit
- Introduction (creation) of Maritime Forces

GMS

[redacted]

SMS Ltd offers a wide range of military support as part of our Galmudug Military Training Program, for further information, please do not hesitate to get in touch.

Steven Platt
Company Director
Specialist Marine Services Ltd
Maritime Crime Executive

[redacted]

Tel: +44 (0) 1446 741 794
Mob +44 (0) 7880 896 332

steven.m.platt@specialist-marineservices.com

FEDERAL REPUBLIC OF SOMALIA

Dawladda Galmudug
Xafiiska Madaxweynaha

Galmudug State Of Somalia
Office of the President

Ref: GMS/XMW/18/13 Date: 20/05/2013

To: Hon. Sayid Paul
Country Director
Specialty Mining Corporation
United Kingdom

Dear Sayid,

I am very pleased that you and your colleagues trained our armed forces. I have no doubt that the training and support provided will make a significant contribution to our fight against rebel groups and piracy and criminal activity within the region.

In addition we are very grateful for the additional equipment that you have provided.

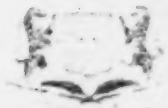
We hope to enjoy further good relations between Somalia and your company, opportunities to the great people of Somalia. We have noted the Memorandum of Understanding and we look forward to working with you and your colleagues in the future.

Please accept the assurance that we will continue to have our full support and backing.

H.E. ABDI HASSAN AWALE QEYBDID
PRESIDENT OF GALMUDUG STATE

FEDERAL REPUBLIC OF SOMALIA

Dawladda Galmudug
Xafiiska Madaxweynaha



Galmudug State Of Somalia
Office of the President

Ref: GMS/XMW/18/13 Date: 22/05/2013

To: Hon. Steve Pur
Company Director
Specialist Marine Services Ltd
United Kingdom

Dear Steve,

I am happy to confirm authorization to carry arms and ammunition whilst operating within the Galmudug State. Similar authorization is given to you and all colleagues that fall under our Agreement Vice and Future Projects.

Please, accept the assurance that you will continue to have my full support and blessing.

H.E. ABDI HASSAN AWALE (Qeybdid)
PRESIDENT OF GALMUDUG STATE

Annex 6.3.c: Commercial brochures of Atlantean Worldwide

Commercial brochure with opening date on 15 January 2013

ATLANTEAN
Delivering ▲ Solutions ▲ Worldwide

ATLANTEAN, in partnership with the KDA, is pleased to offer turn-key accommodation, transport, and access to Kismayu for the international community.

CAMP KISMAYU

GRAND OPENING
JANUARY 15, 2013

Accommodations

Our camp accommodates 84 people and features services offering family style meals (international cook), laundry, and security. All units are air-conditioned.

- Shared Room (2 person per room, bunk beds) - $180/night/per person*
- VIP Room (1 person per room) - $250/night*
- Meals (3 x per day) - $60/day*

Air Charters

We offer seats on a chartered plane from Wilson Airport, Nairobi to Kismayu Airport. Please contact us for information on passenger and cargo rates and schedules. *Note: Authorization to travel subject to security check by KDF.*

Security Escorts

We can arrange local transportation and security escorts for camp guests who desire to get "outside the wire" and visit sites in and around the city of Kismayu. Please contact for more information and pricing details.

*Note: Current prices reflect the extraordinarily high costs of importing materials into Kismayu under current conditions. As travel and commercial traffic increases in the area, prices will be adjusted.

Camp Kismayu is operated with the approval of the Kismayu Development Authority (KDA).

KDA
Kismayu Development Authority

For bookings or questions, please contact us at:

Camp Kismayu, Kismayu Airport
+252 (0)616 536 936 – Kevin Stockton
+252 (0)616 536 946 – Geoffrey Mbato
+252 (0)616 536 943– David McNevin
Campkismayu@atlanteanworldwide.com

Commercial brochure with opening date on 1 May 2013

ATLANTEAN

Delivering ▲ Solutions ▲ Worldwide

ATLANTEAN is pleased to offer turn-key accommodation, transport, and access to Kismayo for the international community

CAMP KISMAYO

Accommodations

Our camp accommodates 90 people and is fully serviced, offering 3 meals per day, laundry, basic internet and security. All units are air conditioned.

- Dorm-style Room (4 persons per room, bunk beds) - $145/night/per person*
- Standard Room (2 persons per room, bunk beds) - $200/night/per person*
- [illegible] person per room - $290/night*

Air Charters

We can assist in arranging chartered flights from Wilson Airport, Nairobi to Kismayu Airport. Please contact us for information on passenger and cargo rates and schedules.

Note: Authorization to travel subject to security check authorization by KDF.

Security Escorts

We can help arrange local transportation and security escorts for camp guests who want to explore outside the wire and visit sites in and around the city of Kismayu.

Please contact for more information and pricing details.

*Note: Current prices reflect the extraordinarily high costs of importing materials into Kismayu under current conditions. As travel and commercial traffic increases in the area, prices will be adjusted.

CONTACT US:

Reservations:

+254 (0)201 675 67[illegible]
+254 (0)705 041 81[illegible]
CampKismayu@atlanteanworldwide.com
http://campkismayo.atlanteanworldwide.com

General Inquiries:

Camp Kismayu, Kismayu Airport
+252 (0)616 822 476 – Riaan Stabbert (Somalia)
+254 (0)725 443 647 – Jessica Baker (Kenya)
CampKismayu@atlanteanworldwide.com

Annex 7

Obstruction of humanitarian assistance

Annex 7.1: Denial of access and attacks on aid workers (STRICTLY CONFIDENTIAL)*

* The annex has not been reproduced in the pesent document because it is strictly confidential.

Annex 7.2: Diversion and misappropriation of humanitarian assistance

Diversion by Al-Shabaab

1. Few international agencies still work in Al-Shabaab controlled areas for two reasons. First, Al-Shabaab has lost significant ground in the past twelve months and redeployed from major towns to mostly rural areas. Second, Al-Shabaab has banned the vast majority of international organisations from operating in areas under its control. Nevertheless, a few international and national non-governmental organisations (NGOs) are still able to work in some Al-Shabaab strongholds. They face challenges of coordinating with local authorities while trying to ensure that resources do not get diverted from intended beneficiaries.

2. Agencies who have worked or still work in Al-Shabaab areas report similar experiences. To implement a programme they must coordinate with local authorities and ensure their support. Some NGOs described that they had to halt their projects before even beginning since the authorities attempted to influence the targeting of beneficiaries, at times up to half of them, and replace them with their supporters.[1] Others have struggled to refuse to pay direct taxes to Al-Shabaab who demanded either a lump sum 'registration fee' or a percentage of the value of the project, or both. In addition, Al-Shabaab has occupied the compounds and warehouses of many NGOs they have banned.

3. The payment of taxes to Al-Shabaab is a sensitive issue for humanitarian agencies because of the legal and ethical implications. While most agencies are adamant that they have not paid direct taxes to Al-Shabaab authorities, many admit off-the-record to having reimbursed their national staff when they did, or to having actually increased national salaries to make up for the taxes imposed on them by Al-Shabaab authorities.[2] In some cases, beneficiaries were taxed by Al-Shabaab with the full knowledge of local and international agencies responsible for the programmes. Donors, including the European Union and the United States, are fully aware of the price to pay for operating in Al-Shabaab-controlled areas. Yet, they continue to employ the rhetoric of zero tolerance for Al-Shabaab receipt of their funds.[3] Doing so results in a tacit "don't ask, don't tell" policy between donors and the agencies they fund whereby the agencies ultimately bear the reputational and legal risks of resources leaking to Al-Shabaab.

"A protection emergency"

4. Diversion of aid in Somalia goes well beyond the theft of goods or resources destined to vulnerable populations. Indeed, one of the most pernicious forms of diversion continues to involve the phenomenon documented in the previous report of the Monitoring Group.[4] Individuals and groups, operating in networks organized to steal from and exploit vulnerable

[1] Interviews with NGO representatives, Nairobi, September 2012-March 2013.
[2] Ibid.
[3] Interviews with donor representatives, Nairobi, September-December 2012.
[4] See S/2012/544, annex 6.2, p. 310.

populations, including internally displaced persons (IDPs), continue to act as 'gatekeepers' and ensure that local 'pie-cutting' remains an essential component of aid delivery. Consequently, a large proportion of resources do not reach the intended beneficiaries. In addition, some gatekeepers are responsible for grave violations of human rights, including sexual violence and the mistreatment of vulnerable civilians. International assistance often fuels a cycle of abuse as aid organisations engage with gatekeepers for lack of an alternative. According to a senior UN humanitarian official, "Somalia is a protection emergency of endemic proportions, where civilians are held hostages by all of us".[5]

5. Although gatekeepers are not new to Somalia, the system of control has become more sophisticated and pervasive in the past few years. This has been the direct result of the inability of international staff to access many parts of the country, as well as deteriorating humanitarian conditions that led to massive influxes of aid since 2006. In and around Mogadishu in particular, business networks have flourished around locations where IDPs have fled. The Somali Government and the international humanitarian community allowed IDPs to settle where they could and for hundreds of IDP camps to emerge in the capital, instead of establishing organised camps. As a result, landowners, district leaders or influential individuals have been able to offer IDPs services in exchange for money.[6]

6. The perpetual inability of Somali authorities to provide assistance and security to IDPs strengthened the hold of gatekeepers and their affiliated militias. Some gatekeepers charge IDPs reasonable sums of money for rent and the provision of security, while others exploit them and divert the assistance provided by international and local aid groups. Indeed, human rights organisations have documented a plethora of examples of economic exploitation, ranging from the misappropriation of food aid, to looting by militias and diversion by gatekeepers, and district and other officials.[7] Moreover, gatekeepers are responsible for human rights violations, such as preventing IDPs from leaving their camps, allowing for sexual abuse, and punishing those who complain.[8]

7. The subject of gatekeepers is a sensitive one amongst the international humanitarian community as agencies are often reluctant to confront protection and accountability issues for fear of losing access or funding. While some agencies respond by conducting thorough assessments involving local authorities and establishing stringent monitoring of their programmes, others continue to deal with gatekeepers without realizing or questioning their modus operandi. Security concerns associated with gatekeepers have all too often justified the degree of diversion and exploitation in Somalia. In the words of a senior humanitarian official: "The narrative of many agencies has nothing

[5] Interview with UN senior official, Mogadishu, 22 January 2013.
[6] See: Erik Bryld, Christine Kamau and Dina Sinigallia, "Gatekeepers in Mogadishu," The Somalia Cash Consortium, 31 January 2013, p. 31.
[7] Human Rights Watch, "Hostages of the Gatekeepers: Abuses against Internally Displaced in Mogadishu Somalia", 29 March 2013, pp. 40-48.
[8] Ibid.

to do with the reality, where non-delivery and sub-standard programmes are the rule, not the exception".[9]

8. Diversion of funds by gatekeepers is endemic. For example, the Monitoring Group has obtained evidence showing the existence of 'ghost camps' that are operated by gatekeepers and supported by international assistance. One such camp in the Karaan District of Mogadishu was supposedly home to 3200 families and supported since 2011 by UN agencies. In April 2012, UN officials visited the camp and found in addition to the gatekeepers only a few women present with 20 to 30 shelters occupied by watchmen. There were some fires in the camp, but no signs of cooking. All the latrines were dry, indicating the absence of habitation. During a following visit a few weeks later, still no people were found in the camp, though the latrines were wet.[10] In another IDP camp in Wadajir, the district commissioner sought to obtain funding from a UN agency for a project already funded by another.[11]

9. Although such cases are often documented and known to humanitarian agencies, they sometimes ignore them due to preoccupations with spending existing funds and securing future grants rather than ensuring accountability either to donors or beneficiaries. In the absence of common operating standards or even informal agreements amongst the aid community on addressing gatekeepers, agencies willing to adopt a principled approach feel they are taking the major risks without any benefits. Indeed, while donors have stressed the need for increased transparency and accountability, they have not supported or promoted principled actors or provided many incentives for agencies to systematically tackle the problems of diversion.[12]

10. One initiative by the Somali Government to reduce the influence of gatekeepers entails a plan to establish up to three large, organized IDP camps in Mogadishu, where the IDPs can relocate under the protection of the Ministry of Interior and with the assistance of the international community. Despite the logistical difficulties of relocation, including an unrealistic timetable, the plan aims to stem the proliferation of IDP camps in the city and develop reliable profile data about IDPs, which have been root causes of the gatekeeper phenomenon. This initiative would provide the international community and aid groups with a single interlocutor, the Ministry of Interior, responsible for IDPs, thereby increasing accountability towards both beneficiaries and donors. There are doubts about the Government's ability to provide security. NonethelessUN agencies now largely support the initiative in the hope of establishing higher standards of protection and assistance as well as encouraging IDPs to relocate. According to a senior UN official: "There is no camp management in Somalia because everybody benefitted from the chaos, including us [humanitarian agencies]. The chaos meant not having to account".[13]

[9] Interview with senior humanitarian official, Mogadishu, 22 February 2013.
[10] Interviews with UN agencies, Mogadishu, January-February 2013.
[11] Ibid.
[12] Interviews with UN and NGO heads of agencies, Nairobi, September 2012-March 2013.
[13] Interview with senior UN official, Mogadishu, 22 January 2013.

Diversion and fraud by staff and partners

11. Despite the significant challenges posed by gatekeepers to the international humanitarian community, they are only one component of a larger predicament. As different parts of Somalia have become more accessible in recent months, aid agencies have managed to visit the locations of programmes they have been funding through local Somali implementing partners, in some cases for years. Ground observations and greater third party monitoring have often revealed shocking truths about the lack of implementation and low quality of programmes. According to a senior UN official, "the disconnect between the rhetoric of some UN agencies and NGOs and what has actually been happening at local level is enormous".[14]

12. The detachment of reporting from reality was certainly affected by inaccessibility, but there are other explanations. Some agencies violated basic standards of risk management in the interest of continued operations in certain areas. While the 2011-2012 famine created conditions of duress under which agencies felt compelled and pressured by donors to act regardless of the risks, safeguards continued to be absent well past the end of the emergency. One example is the Common Humanitarian Fund (CHF), managed by the UN Office for the Coordination of Humanitarian Affairs (OCHA), which has disbursed since 2010 over 250 million USD of funding in Somalia without ensuring accountability. With 112 local partners selected through the cluster system, the CHF was designed to respond to emergencies by operating where others do not, but with limited knowledge of the risks. To its credit, since the beginning of 2013, OCHA has been requiring each partner to undergo a capacity assessment in order to become eligible for funding. In addition, it is developing a monitoring strategy and a mentoring system for local partners that carry risks but could become more reliable with training and capacity building.[15]

13. Despite evidence of fraud and diversion across organisations, a culture of denial persists, wherein aid agencies are reluctant to admit the misconduct by their staff and partners. Nevertheless, in the last year, individual UN agencies and NGOs have adopted mechanisms to mitigate risks posed by implementation through multiple layers of sub-contracting. By means of direct monitoring, third party monitoring, remote sensing through satellite imagery, call centres and other methods, some agencies have been able to set a higher standard of accountability. Once oversight and monitoring mechanisms are in place, most agencies find issues of concern with some of their programmes and partners. Indeed, uncovering evidence of diversion is generally a sign that humanitarian agencies are striving for accountability and not the opposite, especially after years of remote management and lax systems.

14. The UN Food and Agriculture Organization (FAO), for instance, is constantly monitoring its activities in Somalia through a set of risk mitigation measures and no new activity is started without review of the risks and its mitigation. FAO has started systematically using satellite imagery for its infrastructure and rehabilitation monitoring activities in high-risk and inaccessible areas, which has enabled it to identify irregularities and establish further

[14] Ibid.
[15] Interviews with OCHA officials, Nairobi, February 2013.

mechanisms to address them. Following investigation, FAO was able to establish that one of its partners failed to implement the project for which it was contracted, and misreported to FAO about the work performed, the duration of the project, as well as the number of beneficiaries involved. Investigations by FAO further revealed that some of its partners had colluded in drafting of their proposals for different locations, using the same language and figures in their attempt to secure grants.[16]

15. Similarly, the UN High Commissioner for Refugees (UNHCR) has identified problematic partners in its efforts to increase transparency. In 2011, for example, UNHCR contracted the Somali Minority Rights and Aids Forum (SOMRAF) to undertake a research project on minority clans in Somalia. The organisation failed to deliver the agreed product and stopped responding to communications from UNHCR, which subsequently sought restitution. The UN blacklisted SOMRAF through its Risk Management Unit (RMU) database, thereby strongly encouraging all UN agencies to refrain from engaging with them. In addition, UNHCR took action against two of its implementing partners engaged in the distribution of non-food items (NFIs), the International Islamic Relief Organization (IIRO) and JUMBO, for a significant percentage of diversion of NFIs from intended beneficiaries (ranging from 35 to 70% in the case of JUMBO).[17]

16. Obstacles still block the achievement of optimal levels of risk management, accountability and transparency. Agencies report that when they share their concerns regarding diversion with their donors, the responses and reactions do not encourage further openness. Each member of the donor community in Somalia abides by the legal regulations of their home capitals, preventing a consistent approach to the diversion of aid. Some donors require full restitution from their grantees in cases of diversion while others are more flexible when an agency acted in good faith. Some donors are legally bound to obtain all details in cases of diversion while levels of investigation conducted by individual agencies satisfy others. Aid organisations complain of unfairness when they are asked to assume risks that are well known and tacitly accepted by donors. This, combined with a lack of consistency, does not foster a culture of openeness and leads to opaque reporting about programme implementation. Donors are aware of this fact. Indeed, a major donor told to the Monitoring Group about a UN agency admitting a case of diversion: "it would have been easier had they not said anything. Now, we are stuck with this".[18]

17. Separate from donors, the humanitarian community lacks a consistent approach to accountability. Conditions are better than two years ago, in part due to the establishment of the RMU and more creative monitoring by some UN agencies and NGOs. Nevertheless, existing mechanisms need to be strengthened. There are still cases of UN agencies hiring employees dismissed for fraud by other agencies. Moreover, the risk advice and assessments of the RMU

[16] Interviews with FAO representative, Nairobi, September-December 2012. See also email correspondence between the Monitoring Group and FAO's Office of the Inspector General, 23 May 2013. Archived with the United Nations?

[17] Interviews with UNHCR officials, Nairobi, 1 March 2013.

[18] Interview with international donor representative, Nairobi, 2 October 2012.

are not adopted systematically since they are not compulsory for individual UN agencies. For example, the United Nations Children's Fund (UNICEF) has continued to use a local partner, DIAL, that has been blacklisted by the RMU.[19] Furthermore, each UN agency and NGO has developed different contracting procedures and language for hiring implementing partners. Consequently, not all implementing partners are legally bound to disclose their use of subcontractors, which are not obliged to cooperate with investigations. Particularly problematic is the absence of or inadequate termination clauses in many contracts. The Monitoring Group has been consistently informed by various UN agencies that should a contractor deliver on programme implementation, they will not dismiss it unless they have been designated by the Security Council for targeted sanctions, regardless of evidence of misconduct presented by the Monitoring Group or possible reputational risk for the UN deriving from lack of action on the matter.[20]

Best practices

18. At present, the UN Risk Management Unit for Somalia is the most substantial effort made by any UN country team to mitigate risks of aid delivery. Established in 2011, the RMU is separately funded and operates under the umbrella of the UN Resident and Humanitarian Coordinator's Office, thereby ensuring its independence and credibility. The RMU supports UN development and humanitarian agencies, their partners, donors and other stakeholders by performing several key functions with tools designed to enhance risk management.

19. The RMU undertakes risk monitoring in Somalia upon the request of individual UN agencies. The aim of field visits is to assess the implementation of programmes and identify potential or existing problems. Moreover, either on its own initiative or upon request, the RMU conducts risk analysis of UN partners and contractors to help inform contracting decisions by the agencies. It also provides risk management training to UN staff, partners and donors. Most notably, the RMU established the Contractor Information Management System (CIMS), a database to facilitate information sharing, enhance due diligence and improve the management of contractors in Somalia. The database currently holds information on over 1200 contractors and over 485 million USD worth of contracts. Also, a search facility has been introduced to check against UN consolidated lists of designated entities and individuals.

20. However, participation in the RMU CIMS is not mandatory and some of the smaller UN agencies have yet to share information about their contractors. The effectiveness of the CIMS also depends on the quality of the information provided by agencies and on their diligence in updating the database, which some do better than others. Furthermore, since the terms of contracts vary greatly across agencies, many contractors are not required to provide information on their partners or sub-contractors, creating a major loophole in the risk management system and undermining its ability to monitor the supply chain of implementation, a sensitive issue that had been a main rationale for

[19] Interviews with UN officials, Nairobi, January-April 2013.

[20] See, for instance, correspondence from the World Food Programme to the Monitoring Group, dated 12 March 2013, regarding the reinstatement of Abdulkadir "Enow" Nur and Deeqa Construction & Water Well Drilling Co. Ltd. as an eligible vendor, as well as the response of the Monitoring Group dated 12 April 2013. Archived with the United Nations?

establishing the RMU in the first place.[21] The RMU has recently engaged with the United Nations Development Group (UNDG) and the High Level Committee on Management (HLCM) to help address this issue at a UN global level.

21. Since the RMU is exclusively a mechanism for the UN Country Team, NGOs are not part of its remit, except when they are contracted by a UN agency. As a result, NGOs lack a comparable mechanism to independently assess risk, share information and introduce mitigating measures. Better information sharing between the RMU and the NGO community can help with access to risk assessments and RMU advice, but to date this has been ad hoc due to resources and mandate. Nevertheless, many NGOs have themselves improved risk management frameworks with better monitoring systems that triangulate information through different mechanisms for greater accuracy.[22] In addition, positive initiatives include uniform measures for NGOs implementing similar programmes. One such example is the adoption by the Somalia Cash Consortium of a common approach to risk mitigation. [23]

Risk management in practice

The AFREC case

22. Founded in 1992, the African Rescue Committee (AFREC) is a Somali NGO and a registered company in Kenya, Somalia and the U.S.A. In recent years, AFREC has been a partner of several UN agencies and international NGOs, mostly implementing projects in Lower Juba, which was largely inaccessible to international staff and monitors until recently. In September 2012, the UN had registered in the CMIS over 11 million USD worth of contracts with AFREC.[24] UN-funded projects included cash assistance for vulnerable families, education support for vulnerable communities, and safe water projects, entailing rehabilitation of wells and construction of latrines. Contracts between international NGOs and AFREC that had not been funded by a UN agency were not included in the CIMS.

23. On 14 September 2012, upon the request of UN partners and following worrying reports from third party monitors, the RMU undertook a preliminary risk assessment that included a field visit to Lower Juba to determine whether AFREC has indeed implemented the projects for which it had been contracted and filed reports. The RMU mission visited the locations of the GPS coordinates provided by AFREC to assess the status of implementation. In one community, where AFREC was supposed to have built latrines and established a mobile health clinic, the elders informed the mission that no such work had been done. Furthermore, the GPS coordinates provided by AFREC for both UNICEF and CHF projects were exactly the same and located in a vacant area at the base of a hill. The RMU did identify a problem with the CHF process that may have explained why the GPS coordinates were the same and inaccurate.

[21] UN Country Team, Somalia, "Operations Environment Analysis", February 2009; and Interagency Mission Report, "UNCT Somalia Risk Management", 19 June 2009.
[22] See, for example, confidential annex 7.2.a, Case study on cash assistance.
[23] The Cash Consortium is comprised of four international NGOs: ADESO, Save the Children, the Danish Refugee Council, and Action contre la Faim.
[24] Interview with UN Risk Management Unit, Nairobi, 26 September 2012.

However, in another community, where AFREC was supposed to have built latrines and wells, the mission found no signs of construction. Overall, while some project components were verified, the mission found major issues of concern both in terms of quality and degree of actual implementation.[25]

24. On 20 September 2012, the RMU conducted a second monitoring mission to another area of Lower Juba to assess AFREC's implementation of CHF projects. While a medical clinic run by AFREC was found to be operational, the RMU identified erroneous GPS coordinates that did not correspond to UN documentation, and found no evidence of the provision of mobile health services. In addition, an AFREC food distribution centre had apparently not distributed any food for several months, though it did dispense food vouchers funded by Care International during the mission's visit. Furthermore, the mission found in a warehouse a volume of UN-purchased or funded medical supplies, NFIs, education materials and water sanitation items that had been stored for a considerable period and/or removed from their packaging and strewn across the floor.[26] Further monitoring in Kismayo in November 2012 revealed similar problems with AFREC's implementation of CHF-funded projects.

25. On 27 September 2012, at the request of UN partners and the UN Resident and Humanitarian Coordinator's office, the RMU issued a risk report on AFREC. In assessing AFREC's performance in all its UN-funded programmes, the RMU established that although "AFREC appear to have delivered some aspects of the projects it is clear that AFREC's claimed achievements in all the projects listed here, do not reconcile with monitoring reporting from third-party monitors and the RMU monitoring team. It is apparent that there has been significant fraudulent reporting of performance by AFREC. It is possible that Force Majeure may impact programme activity in certain areas, but it does not explain the erroneous reporting submitted by AFREC and the failure to implement programme activities for all other areas".[27] The RMU further concluded that the fraud and diversion risks posed by AFREC were "extreme", and that there was a "very high" risk for the UN to continue working with AFREC.[28]

26. As a result of the RMU's findings, all UN agencies suspended their contracts with AFREC. Furthermore, due to suspected criminal actions by AFREC and its principal officers, the RMU entered into a memorandum of understanding with the UN Office of Internal Oversight Services (OIOS) that is normally mandated to investigate wrongdoing by UN Secretariat staff and represents an expansion of the investigative community scrutinizing international aid. At present, OIOS is investigating AFREC projects funded by the CHF, which may lead to criminal prosecution of the organisation and/or its key individuals, including its former executive director Abdi Ali Raghe. Preliminary investigations reveal over 2 million USD of funding was diverted by AFREC.[29]

[25] Risk Management Unit report, 14 September 2012.
[26] Risk Management Unit report, 25 September 2012.
[27] RMU Risk Assessment, 27 September 2012.
[28] The RMU classified the contractors it assessed as presenting a "negligible" to "extreme" risk. The overall categories are: Negligible, Very Low, Low, Medium, High, Very High and Extreme.
[29] Interview with RMU official, Nairobi, 10 May 2013.

The DIAL case

27. Between November 2012 and February 2013, the RMU conducted several monitoring missions to Kismayo to assess the status of implementation of UN-funded programmes by the Somali NGO, Development Initiative Access Link (DIAL). By the end of 2012, according to the CIMS, DIAL had received 6.1 million USD worth of contracts from the UN.[30] Third party monitors and other sources had levelled allegations against DIAL, including incomplete and 'fake' projects in Middle and Lower Juba, as well as diversion of UN funds by a senior staff member to fund a political campaign. In October 2012, these allegations prompted the CHF to suspend DIAL's contracts, but continued to use DIAL as a partner. UNICEF has felt that the mitigation measures it put in place and the lack of other partners in its area of operations justify the continuous use of DIAL, even though UNICEF acknowledges the high risk posed.[31]

28. The RMU's findings were inconclusive regarding some of the allegations, including diversion for political ends. However, it was able to establish the high likelihood of false reporting, diversion and fraud. Some of the achievements claimed by DIAL were untrue and expenditures claimed were false. Consequently, the RMU concluded that DIAL represented a "very high" risk for the UN, and it is currently pursuing the case to obtain further evidence.[32]

[30] Interview with RMU official, 26 November 2012.
[31] Email correspondence between UNICEF and the Monitoring Group, 10 May 2013. Archived with the United Nations?
[32] RMU Risk Assessment, 25 April 2013.

Annex 8

Violations of international humanitarian law

Annex 8.1: Attacks on civilians

Civilian harm caused by pro-Government forces

1. The capacity of the UN to monitor human rights violations, violations of international humanitarian law and the protection of civilians remains low. Lack of access to most of the country, combined with the opacity of military actors and the weakness of civil-military structures, have made it difficult to gather quantitative and qualitative data related to the conduct of hostilities. As such, the number of civilian deaths attributable to pro-Government forces is hard to ascertain. In the last few years, efforts were made to mitigate harm caused to civilians, notably through the African Union Mission in Somalia (AMISOM) Indirect Fire Policy adopted in 2011, and a close tracking firing mechanism. Nevertheless, civilians continue to be harmed during combat as a result of military movements and occupation, and simply as a consequence of the availability of weapons in Somalia.

2. Human rights organisations have managed to collect some information about civilian deaths caused by pro-Government forces, either through the legitimate conduct of hostilities, the use of disproportionate force or indiscriminate targeting in violation of international humanitarian law. Such incidents include the following:

- On 11 August 2012 in Kismayo, three civilians were killed apparently as a result of injuries inflicted by four shells fired by a Kenya Defence Forces (KDF) ship. Reports indicate that the shells hit civilian housing located by the sea.
- In Janay, close to Kismayo, another seven civilians were killed when they approached KDF positions while purchasing food in nearby shops.[1]
- On 25 October 2012 in Lego, six civilians were killed when their bus was hit by crossfire between Al-Shabaab and AMISOM.
- Again on 15 January 2013 in Lego, six children were killed when AMISOM mistakenly fired at a *madrasa* (school).[1]

3. The situation is further complicated by the lack of structure of the Somali National Security Forces (SNSF), which consists of loosely assembled forces and militias without any real centralised command and control. Clan loyalties and side employment with private companies further undermine the principle of command responsibility within the Somali security forces. As a result, internal fighting amongst pro-Government forces is frequent and often results in civilian harm with impunity. Indeed, Government forces and affiliated militias have committed a range of abuses against civilians, including looting civilian areas, arbitrary arrests and detention, and sexual violence. Human rights groups, for instance, have documented violations committed by Ahlu Sunna wal Jama'a (ASWJ) upon their takeover of Bula Hawo in March 2012, when at least three civilians were executed and several hundred, including women and children, were arrested after a bomb attack.[2]

4. Moreover, civilians are often targeted for extortion. Reports collected by humanitarian and human rights agencies indicate that Somali Government soldiers and/or militia groups, after capturing

[1] Reports collected by UNPOS and Human Rights NGOs.
[2] Ibid.

a town in the course of military operations, routinely rounded-up young men, including children, on grounds of being affiliated with Al-Shabaab. Organisations working in these areas have consistently reported that such arrests are arbitrary and based on physical appearance or biased accusations. The actual motivation for such arrests seems not to be security but rather extortion. Apparently a fee, usually between 20 USD and 100 USD, buys the release of an arrested individual.[3] Also, reports are common about pro-Government forces proverbially establishing checkpoints to collect 'taxes' from the local population.[4]

5. AMISOM is a key provider of equipment, funds, training and leadership to the SNAF as well as some of its proxy forces. AMISOM works closely with Government-affiliated militias, instructing them when and where to report for the conduct of military operations, but does so outside any formal organisational structure. As a result, AMISOM has a duty to ensure that all forces fighting either directly with or on behalf of the Somali Government adheres to international humanitarian law. This obligation was acknowledged by the AMISOM Force Commander, Lieutenant General Andrew Gutti, who informed the Monitoring Group that "AMISOM considers itself responsible for the actions of all pro-Government soldiers".[5]

6. However, AMISOM itself is to some extent complicit in the violations committed by proxy forces. AMISOM continues to coordinate military operations with militias it knows are responsible for abuses against civilians. More directly, AMISOM transfers to such forces prisoners it has captured since its position is that it does not have the authority to detain individuals and therefore will not do so. Nevertheless, AMISOM has a residual duty of care to ensure that detainees it has transferred are not subjected to human rights abuses. In addition, further to the organisation-wide adoption of a Human Rights and Due Diligence Policy in July 2011, the UN has a duty to ensure that the entities it is supporting, including AMISOM, respect human rights and international humanitarian law.

7. AMISOM representatives told the Monitoring Group that the mission has mechanisms in place to address allegations of wrongdoing, including investigation procedures such as Boards of Inquiry, and sanctions in accordance with African Union and troop contributing countries' administrative and operational procedures. They further told the Monitoring Group that appropriate disciplinary measures are taken whenever soldiers are found guilty.[6] However, AMISOM and Somali security forces conduct such investigations without any presence of independent observers or experts. AMISOM does not release publicly or share the reports of its investigations.[7] The Monitoring Group is aware of only two Boards of Inquiry in the past 12 months. AMISOM did not share the reports of these inquiries with the Monitoring Group despite repeated requests.

8. Security Council resolution 2036 (2012) commended AMISOM's commitment to establish a Civilian Casualty Tracking, Analysis and Response Cell (CCTARC) that would track and investigate

[3] Reports collected by the UN Protection Cluster, 2012-2013.
[4] Ibid.
[5] Meeting with AMISOM Force Commander, Mogadishu, 24 January 2013.
[6] Meeting with AMISOM Humanitarian liaison officer and cimic officer, Mogadishu, 15 October 2012.
[7] Ibid.

incidents of civilian harm, and provide compensation when required. The cell has yet to be established.

Civilian harm caused by Al-Shabaab

9. The indiscriminate use of force by Al-Shabaab continues to cause significant civilian harm. In 2012, Al Shabaab increased the use of victim-activated pressure plate improvised explosive devices (IEDs). According to UN Mine Action Service (UNMAS) data[8], 28 IEDs detonated in Mogadishu during the course of 2011, resulting in 116 deaths out of 378 casualties. Between 1 January and 24 September 2012, the number of IEDs detonated in Mogadishu increased to 32, resulting in 62 deaths out of 235 casualties.

10. Civilian casualties resulting from suicide attacks have also increased significantly in 2012. In 2011, four attacks conducted by person-borne improvised explosive devices (PBIEDs) resulted in 11 civilian casualties. In 2012, four similar attacks resulted in 34 deaths out of 125 casualties. Although in principle the use of suicide vest attacks can be more targeted, they have been used indiscriminately against civilians. For example, on 21 September 2012, a double suicide attack against the Village Restaurant in Mogadishu resulted in 19 deaths. These figures are unlikely to go down in 2013 since an attack on the main court complex in Mogadishu on 14 April 2013 caused more than 35 deaths.[9]

11. Targeted assassinations of civilians continue to form part of Al-Shabaab's *modus operandi*. Al-Shabaab has executed individuals perceived to be supportive of the Somali Government or AMISOM, often on suspicion of 'spying'.[10] Such killings are sometimes in the form of public executions, including beheadings. Al-Shabaab's assassination targets include politicians or local public figures supportive of the Somali Government.

12. In addition to killings of civilians, Al-Shabaab uses other methods of intimidation of civilian communities and private individuals. In areas under its control, Al-Shabaab establishes roadblocks, denying movement in and out of specific areas and imposes curfews. During the fighting for control of Kismayo and Marka in 2012, non-governmental organisations (NGOs) and UN agencies reported several incidents in which Al-Shabaab refused to allow civilians to flee the area. Instead, it used them as human shields. On 17 September 2012, for example, the UN documented an incident in which Al-Shabaab forced a minibus travelling from Kismayo to Jilib to turn back.[11] In another incident of 22 October 2012, Al-Shabaab was screening all trucks passing through Bulo Burte and denied passage to five trucks transporting Internally Displaced Persons (IDPs) returning from Garowe to southern Somalia.[12]

[8] Provided to the Monitoring Group on 26 September 2012. [was this a report? Email? Internal document?]
[9] UN and NGO security reports, January 2012-April 2013.
[10] Information received by the UN Protection Cluster, September 2012- April 2013.
[11] See UNHCR, Kismayo Population Movements and Protection Monitoring, 1-26 September 2012, available at http://data.unhcr.org/horn-of-africa/country.php?id=197
[12] NGO security reports, 23 October 2012. [which NGO]

13. Al-Shabaab also imposes taxes on those individuals living in areas under its control, and the penalty for non-payment can range from public flogging to execution. In addition, Al-Shabaab uses threats and letters to intimidate those it suspects of supporting or working for pro-Government forces.[13]

Attacks on schools and hospitals

14. All parties to the conflict continue to target education and healthcare facilities. Lack of physical access in much of Somalia due to security concerns has made it difficult to determine the number of schools and hospitals attacked. Nevertheless, the UN has identified 84 incidents in 2012, including 72 attacks on schools and 12 attacks on hospitals. Most cases were allegedly perpetrated by Al-Shabaab (51 attacks), followed by the SNSF (14 attacks) and Ethiopian National Defence Forces (ENDF) (6 attacks). According to UN reports, Al-Shabaab was responsible for 11 of the 12 attacks on hospitals that were verified in 2012.[14]

15. In September and October 2012, the UN verified 6 attacks on schools. The SNSF perpetrated 3of these attacks in Banadir region and one in Hiran region, while Al-Shabaab was responsible for the other two in Bakol region. For example, on 15 September 2012, the SNSF converted Bunda Weyn primary school into a military base. This coincided with the commencement of the school semester and affected at least 130 pupils. On 6 October 2012, Al-Shabaab attacked a school in Rabdhuure district for the purposes of indoctrinating the children. 6 boys and one girl were recruited during the incident.[15]

16. In November and December 2012, the UN verified 6attacks on schools and their staff. The SNSF perpetrated three of these attacks, two in Lower Shabelle and one in Banadir, while Al-Shabaab, AMISOM and the ENDF were responsible for one each. In addition, unidentified armed elements attacked a hospital in Lower Shabelle and executed its director, leading to the closure of the facility for a week.[16]

17. Between January and March 2013, the UN verified 7 attacks on schools. Al-Shabaab perpetrated 5of the attacks and the SNSF the other two. For example, on 24 January 2013 in Baidoa district in Bay region, Al-Shabaab went to a Quranic School to mobilize children, and recruited six of them aged 12-16 years old. The SNSF reportedly attacked a hospital in Banadir region. On 27 January 2012, fighting between two allied SNSF groups led to the closure of a maternal and child health facility in Daynile district. The fighting resulted from a disagreement over control of taxes levied on businesses and a bus stop in the area around the health facility.[17]

[13] Ibid.
[14] See Global Horizontal Note, Monitoring and Reporting Mechanism (MRM) of Grave Violations against Children in situations of Armed Conflict, Reporting Period January-December 2012. (Hereafter "GHN").
[15] See GHN, Reporting Period September-October 2012.
[16] See GHN, Reporting Period November-December 2012.
[17] See GHN, Reporting Period January-March 2013.

Summary of incidents

18. The following incidents were compiled from UN and NGO security reports between August 2012 and April 2013.[18] The excerpts below reflect attacks conducted directly against civilians by parties to the conflict or the indiscriminate use of weapons in civilian areas.[19]

August 2012

Violations by pro-Government forces

- 4 August, Heliwa District, Mogadishu: Armed men in Transitional Federal Government (TFG) military uniforms reportedly robbed 17 private shops. This was the second robbery in two nights. Business owners confirmed that the robbers looted all their property and raped several women. Later that night, hundreds of civilians gathered in the streets of Heliwa District to protest against abuse by TFG forces.
- 6 August, Hawl Wadaag District, Mogadishu: Unidentified attackers threw a hand grenade at Somali National Government (SNG) soldiers in Bakara Market. The SNG soldiers opened fire randomly after the blast. The area was busy at the time of the attack. A total of four civilians were reportedly killed and eight others injured from the initial explosion and the shooting that followed.
- 7 August, Luuq District, Gedo: Three civilians were reported killed and two others wounded when unknown gunmen opened fire at a civilian vehicle travelling from Baidoa to Luuq. The shooting occurred after the conductor of the vehicle ignored instructions from the armed men. Independent sources indicated that pro-SNG soldiers based in Luuq were most likely responsible for the incident, and identified a particular officer who had been recently replaced by the local authorities in the area after he set up a road-block and collected illegal taxation.
- 8 August, Belet Weyne District, Hiran: ENDF troops shot and killed a man who attempted to escape his arrest in the western part of Belet Weyne. ENDF soldiers had captured the man on the road during the day while they were on patrol.
- 9 August, Belet Weyne District, Hiran: A bomb targeted an ENDF convoy escorting a water tanker in Belet Weyne. The explosion reportedly hit a pick-up that was part of the convoy and seriously damaged it. The ENDF troops opened indiscriminate fire after the explosion and chased several individuals suspected of involvement in the attack into a nearby mosque. The ENDF forces reportedly shot and killed a elderly civilian man while chasing the perpetrators.
- 12 August, Waaberi District, Mogadishu: TFG soldiers in the back of a pick-up truck driving along Afisyone Road opened fire at a crowd that was blocking their way. Two civilians were injured.
- 18 August, Belet Weyne District, Hiran: The body of a civilian who had been captured and arrested by pro-TFG forces on 15 August 2012 and then handed over to ENDF troops was

[18] The UN Department of Safety and Security (UNDSS) and the NGO Safety Program (NSP) both produce regular security updates intended to inform the activities of UN agencies and NGOs.
[19] To protect sources and victims, incident narratives do not include identifying details. Moreover, because of the sensitivity of the matter, as well as lack of access to many parts of Somalia, UN and NGO security officials could not confirm or follow-up some details.

found along the riverbed in Belet Weyne. The circumstances of his death remained unclear. The victim was reportedly a businessman and an Islamic teacher.

- 22 August, Yaaqshiid District, Mogadishu: A TFG soldier opened fire at a minibus killing the driver and two passengers at Sana' Junction. The soldier opened fire after the driver failed to comply with his instructions to stop. The perpetrator fled the scene before TFG forces arrived.
- 25 August, Baidoa District, Bay: ENDF soldiers shot and killed a civilian man in Isha area close to the main bridge in Baidoa. The victim was reportedly shot at after he ignored instructions to stop.

Violations by Al-Shabaab

- 7 August, Afgooye District, Lower Shabelle: Al-Shabaab militants attacked the residence of the chairman of K-50 village and killed him. The chairman had been appointed by the TFG a few days earlier. The assassination was followed by armed clashes between Al-Shabaab and TFG/AMISOM forces.
- 7 August, Buur Hakaba District, Bay: Al-Shabaab militants reportedly vacated Buur Hakaba after AMISOM and SNG forces took control of Wanla Weyne. Before vacating the town, an Al-Shabaab official named Sheikh Muqtar Abu Muslim reportedly announced in a public gathering that Al-Shabaab would behead any person collaborating with AMISOM and the SNG if the district centre fell under their control.
- 4 August, Afmadow District, Lower Juba: Al-Shabaab militants reportedly decapitated two individuals and left their bodies on the road in Jana Cabdalle. The reason behind the killings was unknown. Unconfirmed reports indicated that the two victims may have been close to or relatives of the leader of the Raskamboni movement, Sheikh Ahmed Madoobe.
- 15 August, Buaale District, Middle Juba: Al-Shabaab authorities in Bua'le reportedly arrested and detained a local civilian who they accused of being in contact with AMISOM during a recent visit to Mogadishu.
- 17 August, Tayeeglow District, Bakol: Al-Shabaab militants beheaded a civilian man they accused of spying for pro-TFG forces in Dudumale village. Reports indicated that the man was visiting his mother in the village when Al-Shabaab killed him.
- 17 August, Balcad District, Middle Shabelle: Al-Shabaab killed two civilians in Degaanley village. Reports indicated that the victims had links with TFG forces. The perpetrators reportedly left the scene.
- 19 August, Baidoa District, Bay: Al-Shabaab operatives reportedly abducted a man from his home in Horseed neighbourhood in Baidoa and killed him. The body of the victim was discovered the next morning in the livestock market. Unconfirmed reports indicated that the man had links with pro-TFG forces in Baidoa.
- 21 August, Kismayo District, Lower Juba: Al-Shabaab militants arrested 10 individuals, including religious figures, after they criticized the eating of hyena meat.
- 21 August, Baidoa District, Bay: A suspected Al-Shabaab member beheaded a female businesswoman in Awdiinle. The woman was reportedly selling tea to TFG forces.
- 27 August, Marka District, Lower Shabelle: Al-Shabaab militants killed four civilians, including a national staff member of a UN organisation, in Marka and Shalaambood towns. Another civilian was also injured. The reasons behind the killings were unknown. The killings

occurred while AMISOM/TFG forces were moving towards Marka, a few hours before Al-Shabbab lost that town.

- 28 August, Marka District, Lower Shabelle: A bomb exploded in a teashop near the former cinema area in Marka. Reports indicated that Al-Shabaab militants fixed the device on the roof of the premises before they abandoned the town. The owner of the teashop was killed and several civilians were injured in the blast.
- 28 August, Baidoa District, Bay: Al-Shabaab forces in War-Diile village reportedly beheaded two men. The two men had been taken from their houses and killed in the village. Both men were killed for links with pro-TFG forces that had recently launched an attack against Al-Shabaab forces in War-Diile.
- 29 August, Dhusamareeb District, Galgadud: Suspected Al-Shabaab militants opened fire at a delegation from the Ayr/Cabsiiye sub-clan in Gadoon village. The delegation composed of eight individuals had arrived from Mogadishu to mediate a dispute and a series of revenge killings opposing local sub-sub-clans of the Ayr/Cabsiiye in the area. The shooting occurred in the centre of the village, after the delegation had concluded a meeting with local elders. The delegation escaped safely after being pursued for a few minutes by the attackers. Some of the shooters were recognized as bodyguards of the former Al-Shabaab local commander who had been assassinated by ASWJ in the village a few months earlier.
- 31 August, Hudur District, Bakol: Al-Shabaab forces in Moro Gabey village arrested a local resident at his house and took him to an unknown location. Unconfirmed reports indicated that the man had links with pro-TFG officials from Bay and Bakol regions.
- 31 August, Hudur District, Bakol: Al-Shabaab forces reportedly attempted to arrest two local businessmen transporting *khat* from Ceel Barde to Hudur in Abore village. One of the men was arrested and reportedly beheaded. The other managed to escape and reached Hudur.

Violations by other or unknown actors

- 26 August, Hodan District, Mogadishu: An unidentified attacker threw a hand grenade at a restaurant in Taleex neighborhood. An unspecified number of civilians were reportedly injured in the blast. The perpetrator fled the scene.

September 2012

Violations by pro-Government forces

- 1 September, Yaaqshiid District, Mogadishu: Armed men dressed in military uniforms killed a young man in Towfiiq Junction. The killing reportedly occurred as the armed men were trying to steal the victim's mobile phone. The perpetrators fled the scene after the incident.
- 5 September, Wanla Weyn District, Lower Shabelle: Gunmen wearing military uniforms opened fire at a civilian bus near Wanla-Weyne town. The attackers reportedly shot at the vehicle after the driver failed to stop. Reports indicated that the gunmen intended to rob the bus.
- 9 September, Bossaso District, Bari: Three men dressed in Puntland police uniforms stabbed a man and cut off his wife's ear in Bosasso. The men apparently cut off the woman's ear to steal her golden earring.

- 11 September, Dharkenley District, Mogadishu: A man dressed in an SNAF uniform shot and killed a *khat* seller in the Xoosh neighbourhood. Reports indicated that the victim was shot after he tried to prevent the perpetrator from taking the *khat* without paying.
- 17 September, Heliwa District, Mogadishu: An SNAF soldier shot and killed a civilian man. The motive for the shooting was unknown. The perpetrator fled the scene.
- 19 September, Daynile District, Mogadishu: A targeted bomb attack against an SNAF military truck in Cise Cabdi neighbourhood killed two soldiers. Other SNAF soldiers opened indiscriminate fire after the blast and killed four civilians, including a child.
- 21 September, Afmadow District, Lower Juba: Fierce fighting broke out after Al-Shabaab militias attacked KDF-AMISOM and anti-Al-Shabaab positions in Jana Cabdalle village. Reports indicated that after the fighting, KDF soldiers killed six pastoralists due to their alleged support of Al-Shabaab. Two days later, the KDF announced the arrest of the soldiers involved as well as a formal investigation.
- 23 September, Afgooye District, Lower Shabelle: Gunmen dressed in SNAF uniforms set up at least 10 illegal checkpoints on the road between Mogadishu and Afgooye. The gunmen reportedly harassed individuals passing along the road and extorted money from them.
- 28 September, Dharkenley District, Mogadishu: A pro-Government militia manning a roadblock in the Kaawa Gudey neighbourhood opened fire at a passenger vehicle. One passenger was killed. The militiamen shot at the vehicle as it attempted to force its way through the checkpoint to avoid paying illegal taxes. SNG soldiers and police officers arrived at the scene but made no arrest
- 29 September, Baardheere District, Gedo: Two Kenyan warplanes reportedly bombed Baardheere town. The planes bombed the ADC Compound, Markabley School and Kaskey neighbourhood. Unconfirmed reports indicate that one civilian was killed and nine others, mostly children, were injured in the attack.

Violations by Al-Shabaab

- 1 September, Balcad District, Middle Shabelle: Al-Shabaab militants kidnapped a man from his home and later killed him. Reports indicated that the man was suspected of being an informer for the TFG.
- 1 September, Hudur District, Bakol: Al-Shabaab militants stopped two donkey carts transporting firewood to Hudur in Abaq Beeday village. The firewood was unloaded and the owners of the carts were released after receiving a warning against delivering firewood to areas controlled by TFG/ENDF forces.
- 1 September, Hudur District, Bakol: Al-Shabaab militants burnt 250 bags of commercial foodstuffs consisting of sugar and rice in Moro Gabey village. The food was supposed to be delivered in Hudur. Reports indicated that the businessman transporting the food had been warned several times against sending supplies to Hudur but ignored Al-Shabaab's instructions.
- 2 September, Qansah Dere District, Bay: Al Shabaab militants beheaded a pastoralist they accused of spying for pro-TFG/ENDF forces in Qansah Dere District. The body of the victim was left on the roadside.

- 3 September, Barawe District, Lower Shabelle: Al-Shabaab militants executed two men at a public ground in Barawe. An Al-Shabaab court sentenced the men to death after they were accused of spying for TFG/AMISOM forces.
- 10 September, Afmadow District, Lower Juba: Al-Shabaab militants arrested two pastoralists they accused of spying for KDF and anti-Al-Shabaab forces in an area between Afmadow and Dhoobley. Reports indicated they executed one of them and freed the other.
- 17 September, Baidoa District, Bay: Al-Shabab militants beheaded a businessman in Galoolow village. Unconfirmed reports indicated that the man was executed after he refused to pay the 400,000 Somali Shillings Al-Shabaab had been demanding from each family.
- 17 September, Baidoa District, Bay: Al-Shabaab militants shot and injured a civilian man they had arrested a day earlier. The man was accused of communicating with clan members in the Somali Government and providing advice to the clan's politicians in Mogadishu.
- 20 September, Xamar Weyne District, Mogadishu: Two suicide bombers attacked the Village Restaurant in the former Women's Association Building adjacent to the National Theatre. The two suicide bombers detonated their vests in the hotel, which was busy with clients. Fifteen individuals were killed and many others injured. Two Somali journalists, two Somali watchmen working for an NGO, an NGO staff member and two policemen were among those killed in the attack.
- 22 September, Jowhar District, Middle Shabelle: Al-Shabaab militants arrested a prominent businessman. They detained the man after suspecting him of spying for SNAF/AMISOM forces that had been advancing towards the town.

Violations by other or unknown actors

- 11 September, Yaaqshiid District, Mogadishu: An IED targeted a minibus in Jiiro Garoob area. The motive of the attack remained unclear. SNSF arrived at the scene after the blast but made no arrest. Reports indicated that four passengers were killed and 10 others were injured in the blast.
- 12 September, Balcad District, Middle Shabelle: An unidentified explosive device targeted a passenger vehicle in Caliyale Village. Eight passengers were reportedly killed and six others were injured.
- 15 September, Heliwa District, Mogadishu: An unidentified attacker threw a hand grenade at an SNAF pick-up truck but missed its target and hit a civilian minibus. Three civilians were injured in the attack. The perpetrator fled the scene.
- 19 September, Boondheere District, Shibis District, Mogadishu: Five mortar rounds fired from an unidentified location in Mogadishu hit Shibis and Bondheere districts. Four individuals, three in one household and a shopkeeper, were killed. No group claimed responsibility for the attack.
- 29 September, Kismayo District, Lower Juba: Six civilians were shot and killed by unidentified armed men at different locations in Kismayo town. The victims included two prominent clan elders.

October 2012

Violations by pro-Government forces

- 3 October, Kismayo District, Lower Juba: Pro-Government forces banned women in Kismayo from wearing veils covering their faces on security grounds.
- 7 October, Kismayo District, Lower Juba: Armed men dressed in military uniforms and suspected of belonging to anti-Al-Shabaab forces looted the shopping area in Arwo Arladi in Calanley neighbourhood. The men took money and other propery.
- 10 October, Hodan District, Mogadishu: A civilian IDP woman was shot and killed and three other IDPs were injured after an SNAF soldier opened fire at a distribution site in Zona K. The IDPs were reportedly receiving sanitary material being distributed by an NGO at the time of the shooting. The shooter was arrested. The reason for the shooting was unknown.
- 10 October, Afgooye District, Lower Shabelle: SNAF soldiers opened fire at a civilian vehicle on the Mogadishu-Afgooye road. Three people were reported killed and two others injured. The reason for the shooting was unknown.
- 10 October, Belet Xaawo District, Gedo: An anti-Al-Shabaab militiaman shot and killed a local businessman and injured another one. The shooting broke out during a dispute between the men when the militiaman attempted to extort illegal taxes.
- 11 October, Hodan District, Mogadishu: Three civilians were killed and two others wounded at Banadir Junction after SNG forces shot at a minibus heading towards Afgooye. The reason for the shooting was unclear.
- 19 October, Hawl Wadaag District, Mogadishu: An SNG soldier escorting a revenue collector shot and injured a businessman in Bakara Market. The soldier shot the trader after he reportedly refused to pay the daily tax. SNG soldiers later arrived at the scene but took no action.
- 21 October, Dharkenley District, Mogadishu: Armed robbers wearing SNG military uniforms stole valuables, including cellular telephones and money, from civilians sitting outside a shop in Nur Aduunyo neighbourhood. The robbers fled the scene.
- 30 October, Hodan District, Mogadishu: An SNG policeman shot and killed a conductor of a minibus in the K-4 area. The shooting reportedly followed a dispute after the conductor refused to pay taxes. Two passengers were also injured in the attack. The perpetrator fled the scene.

Violations by Al-Shabaab

- 2 October, Baardheere District, Gedo: An Al-Shabaab militant shot and killed a civilian man in the main market of Baardheere town. The incident occurred following a dispute between the victim and the perpetrator. The perpetrator fled the scene.
- 9 October, Buur Hakaba District, Bay: Al-Shabaab militants executed a civilian man in Buur Hakaba. The man was reportedly arrested a month earlier and was accused of espionage after Ethiopian identification documents were found in his luggage.
- 10 October, Buaale District, Middle Juba: Al-Shabaab militants in Bu'ale town arrested several local individuals who they accused of sympathizing with anti-Al-Shabaab forces. Of those arrested, some were formerly local district council members who had resigned before Al-Shabaab took the town and others were businessmen.

- 10 October, Hudur District, Bakol: Al-Shabaab militants arrested two businessmen in Kulujareer. The two were accused of supporting SNG forces in Hudur.
- 13 October, Buaale District, Middle Juba: Al-Shabaab officials in Bu'ale organized a public gathering to convince the local residents to join their cause. The Al-Shabaab officials threatened the attendees with death if they refused to join the holy war.
- 13 October, Diinsoor District, Bay: An Al-Shabaab intelligence unit arrested four individuals at a teashop in the town. Two of the individuals were shot and killed on the outskirts of the town and the other two managed to escape. The victims were livestock and charcoal traders. The reason for the arrests and killings were unknown.
- 14 October, Baardheere District, Gedo: The Al-Shabaab District Commissioner for Baardheere District informed local residents that all youth in the town were to register with Al-Shabaab in order to join the cause. Vehicles mounted with loudspeakers were also used to spread the news about the recruitment.
- 21 October, Baidoa District: An IED placed in or close to a teashop frequented by pro-SNG forces exploded in the afternoon. Four individuals were killed and 12 others, including three pro-SNG soldiers, were injured. Pro-SNG forces arrested several individuals they suspected of organizing the attack.
- 27 October, Kismayo District, Lower Juba: A bomb exploded at a café frequented by anti-Al-Shabaab forces on the outskirts of Kismayo. One civilian was reportedly killed and four other individuals were injured in the blast, including two anti-Al-Shabaab soldiers.
- 27 October, Kismayo District, Lower Juba: A bomb exploded at an open-air restaurant in Kismayo. Two civilian women and an anti-Al-Shabaab soldier were killed in the blast.
- 31 October, Baardheere District, Gedo: Al-Shabaab militants shot and killed a camel herder after he reportedly refused to pay taxes. Sources said the militants counted the herder's camel and demanded that he should pay two camels, which he declined.
- 31 October, Qansah Dere District, Bay: About 10 Al-Shabaab militants opened fire at local individuals who were clearing some land for the establishment of an ENDF/AMISOM base in Qansah Dere. Two workers were critically injured.

Violations by other or unknown actors

- 2 October, Kismayo District, Lower Juba: Unidentified attackers threw a hand grenade at a teashop in Kismayo, injuring six men. The motive of the attack was unknown and the perpetrators fled the scene.

November 2012

Violations by pro-Government forces

- 5 November, Marka District, Lower Shabelle: SNG soldiers reportedly robbed a shop in Sheikh Abroone neighbourhood of Marka.

- 7 November, Hodan District, Mogadishu: An SNG soldier shot and killed a bus conductor in Banaadir Junction following a dispute that escalated over the payment of extortion money. The perpetrator fled the scene.
- 8 November, Wanla Weyn District, Lower Shabelle: Armed men dressed in military uniforms killed a lorry driver in Balli Doogle area. The incident occurred after the driver refused to pay illegal taxation to the armed men
- 8 November, Afgooye District, Lower Shabelle: SNG forces reportedly killed a schoolteacher in Ceelasha Biyaha. Unconfirmed reports indicated that the victim was deliberately killed for refusing to pay taxation. The perpetrators were arrested.
- 11 November, Heliwa District, Mogadishu: Three civilians were killed and two others wounded in the livestock market area when SNG forces opened fire on a minibus. The shooting occurred after SNG soldiers attempted to stop the vehicle to demand illegal taxation and the driver ignored their order to stop.
- 11 November, Dhuusamarreeb District, Galgadud: ENDF troops based in Guri-Ceel opened fire at a private vehicle and wounded the driver. The incident occurred as the troops were collecting firewood. The motive for the shooting was unconfirmed.
- 13 November, Waaberi District, Mogadishu: AMISOM soldiers shot and killed a woman and injured a man after they approached an AMISOM gate in a "suspicious" manner that evening. The group of four individuals, including the two victims, allegedly advanced towards Al Jazeera Gate of Mogadishu Airport under the cover of shrubs/shade without needing the instructions of the soldiers to stop.
- 16 November, Hawl Wadaag District, Mogadishu: An armed man dressed in an SNG military uniform killed a 20-year-old woman in Bakaara Market. The man shot the woman after she refused to surrender her mobile phone and jewellery. The perpetrator fled the scene.
- 17 November, Baidoa District, Bay: The new, recently trained pro-SNG police shot and injured three civilians. The motive for the shooting was unknown. Pro-SNG forces arrested the perpetrators.
- 20 November, Marka District, Lower Shabelle: Armed men in SNG military uniforms reportedly robbed passengers in a convoy of seven vehicles near Buufow Bacaad village on the Afgooye-Marka road. The robbers stole all valuables from the passengers at gunpoint. They also reportedly raped four female passengers.
- 25 November, Afgooye District, Lower Shabelle: SNG soldiers shot and wounded a civilian man in the main market. The motive for the attack was unclear. The perpetrators fled the scene.
- 26 November, Afgooye District, Lower Shabelle: Armed men dressed in SNG military uniforms robbed at gunpoint passengers travelling in a minibus on the Mogadishu-Afgooye road in Lafoole area. The robbers reportedly assaulted some of the passengers.
- 27 November, Heliwa District, Mogadishu: An SNG soldier shot and killed a secondary school student near SOS Hospital. The incident reportedly occurred after the boy ignored instructions to raise his hands at a checkpoint. The perpetrator fled the scene.
- 29 November, Hodan District, Mogadishu: An armed man dressed in an SNG military uniform opened fire at a minibus near Trebuunka Junction in Hodan District. The incident occurred after the driver of the bus reportedly refused to pay illegal taxes to the soldier. A female passenger was reportedly killed and two other passengers injured. The perpetrator fled the scene.

Violations by Al-Shabaab

- 3 November, Jowhar District, Middle Shabelle: An Al-Shabaab militant reportedly shot dead a civilian on the outskirts of Jowhar town after being released from Al-Shabaab custody the same day. The motive of the killing was unknown.
- 4 November, Hodan District, Mogadishu: Two suicide bombers attacked the Village Restaurant near Amira Hotel. The two bombers were denied access to the restaurant by security guards and opened fire at the guards before detonating their explosive devices. This restaurant is popular with politicians, diaspora and other important stakeholders in Mogadishu. At the time of the attack, the restaurant was hosting senior Government officials including the Director of the Criminal Investigation Division, military and police officers and an immigration department officer. Four individuals, including the suicide bombers, one security guard and a female bystander were reportedly killed, while about 9 others sustained injuries. Eight NGO staff members were injured in the attack.
- 5 November, Baardheere District, Gedo: Al-Shabaab militants reportedly arrested a local waiter at his house in Baardheere. The subsequent whereabouts of the man remained unknown. He was reportedly accused of collaboration with anti-Al-Shabaab forces in Gedo Region.
- 5 November, Marka District, Lower: Al-Shabaab militants ambushed two vehicles travelling from Marka towards Afgooye near Buufow Bacaad village. A local NGO staff member privately owned one of the vehicles and had rented it out for the day. The vehicle was badly damaged and one passenger was injured. The militants temporarily detained the other three passengers and took the vehicle. The other vehicle, reportedly transporting *khat*, was badly damaged and one of its passengers was killed.
- 5 November, Yeed District, Bakol: Al-Shabaab militants arrested three individuals in Rabdure village. The arrests were reportedly linked to the individuals celebrating the appointment of one of their clan members in the new SNG cabinet.
- 5 November, Hudur District, Bakol: Al-Shabaab militants reportedly ordered the local herders to move away from Hudur town. The order was a response to herders' movement towards Hudur to avoid paying Zakat contributions to Al-Shabaab.
- 5 November, Luuq District, Gedo: Six Al-Shabaab militants reportedly visited Haanoy village to warn residents against participating in a workshop to be organized by an NGO in Luuq District. The militiamen summoned the elders from their houses and threatened that the families of any participants in the workshop would be slaughtered before their return home.
- 7 November, Hudur District, Bakol: Al-Shabaab militants arrested a female shepherd from Cusbo Eelo. The militants took her to an area about 4 km from the village and beat her. The woman was released the following morning. The motive for the beating remained unknown. In a separate incident on the same day, Al-Shabaab militants beat another woman with sticks after accusing her of working in her farm without proper dress.
- 10 November, Qansah Dere District, Bay: Al-Shabaab militants beheaded a livestock trader around 15 km northwest of Qansah Dere. The victim was a well-known religious leader and animal trader in the district. The severed parts of his body were placed on the main road. The motive behind his killing was not clear but the assumption was that he was killed because of transactions with Ethiopians.

- 10 November, Baidoa District, Bay: Suspected Al-Shabaab militants opened fire at a civilian vehicle driving between Manas and Goof Gaduud on the Baidoa-Diinsoor road. One civilian was seriously wounded in the incident. The circumstances surrounding the incident were not clear. ENDF/pro-SNG forces based in Goof Gaduud village reached the scene but did not locate the perpetrators.
- 12 November, Baidoa District, Bay: Al-Shabaab militants confiscated a private vehicle transporting civilians in Awdiinle village. The militants stopped the vehicle and ordered the passengers out. They loaded their wounded men into the vehicle and drove away to an unidentified location.
- 13 November, Baidoa District, Bay: Al-Shabaab militants executed a well-known local trader in Awdiinle village in Baidoa District The motive for the killing remained unknown.
- 17 November, Yeed District, Bakol: Al-Shabaab militants imposed new tax rates on all traders, in some cases raising the taxes three-fold in Buur Dhuxunle. The new rates became effective particularly in livestock trading areas, including Mooro Gabey and Garas Weyne. Livestock traders in these villages reportedly suspended their livestock business in protest against the new rates. Sources indicated that Al-Shabaab imposed the new rates in all areas under its control in Bay and Bakol regions.
- 23 November, Afgooye District, Lower Shabelle: Unknown gunmen armed with pistols shot and killed a well-known businessman in Afgooye town. The victim owned a shop in the market and was regularly selling goods to SNG and AMISOM forces. Available reports indicated that the victim had received several threats by phone from Al-Shabaab affiliates before his killing. The threats were reportedly linked to his business involvement with SNG/AMISOM forces.
- 25 November, Buur Hakaba District, Bay: Al-Shabaab militants increased Zakat contributions collected from areas under their control in Bay and Bakol regions. In Buur Hakaba and Awdiinle, the militants doubled taxes at roadblocks for trucks transporting goods to pro-Government controlled areas. Each truck had to pay about 300 dollars to pass.
- 28 November, Baardheere District, Gedo: Al-Shabaab forces arrested two young men they suspected of spying for KDF in Baardheere.

Violations by other or unknown actors

- 2 November, Dharkenley District, Mogadishu: Unidentified attackers threw a hand grenade at a teashop frequented by SNG forces in Macmacaanka neighbourhood. At least two civilians were killed and seven others injured, including a six-year old child and a woman. The perpetrators fled the scene but several young men were arrested in a subsequent security operation.

- 7 November, Marka District, Lower Shabelle: A bomb attack targeted SNAF soldiers at a vegetable market in Shalaambood village in Marka District. Some sources indicated that two bombs exploded in the market. Six individuals, including two soldiers, were killed and four civilians were injured in the attack. The perpetrators managed to escape. SNG forces later arrested several individuals they suspected of organizing the attack.
- 8 November, Marka District, Lower Shabelle: Men armed with pistols shot and killed a young man in a teashop. The motive for the killing remained unclear but sources believed the victim was a member of the SNAF who had defected from Al-Shabaab. The perpetrators fled the scene.
- 27 November, Baidoa District, Bay: Unidentified assailants shot and killed a businessman in the livestock market in Isha neighbourhood. Sources indicated that the victim, a member of the Rahanweyn/Hadame sub-clan, had been a vocal critic against Al-Shabaab ideology.

December 2012

Violations by pro-Government forces

- 3 December, Afgooye District, Lower Shabelle: An SNG soldier reportedly fired at a crowd in the *khat* market in Afgooye town. Unconfirmed reports indicated that the soldier was angered by a dispute in which his wife was involved.
- 6 December 2012, Dharkenley District, Mogadishu: Unidentified armed men in SNG military uniforms stormed and robbed business centres, shops and personal assets in Kaxda area. One woman was injured and later died in hospital.
- 9 December, Afgooye District, Lower Shabelle: SNG soldiers reportedly shot and killed a well-known lorry driver in Mareerey area. The driver had apparently ignored the soldiers' instructions to stop. The lorry was transporting bananas from Mareerey to Afgooye.
- 9 December, Belet Weyne District, Hiran: ENDF troops based in Kalabeyr executed a man they had arrested after one of their soldiers died of injuries sustained from a bomb attack. The victim was from the Hawadle clan and his clan members suspected that a man from the Udeejeen clan had denounced him. Reports indicated that most of the Udeejeens vacated Kalabeyr in fear of Hawadle clan revenge.
- 15 December, Daynile District, Mogadishu: Local residents and elders living in Dayniile District reportedly lodged strong complaints with SNG officials about recurrent robbery, rape and intimidation that they face from gunmen dressed in SNG military uniforms.
- 18 December, Hodan District, Mogadishu: An SNG soldier shot and killed a civilian man in the K-4 area during a private dispute. The perpetrator fled the scene.
- 25 December, Afgooye District, Lower Shabelle: Armed gunmen dressed in SNG army uniforms reportedly stopped by force a minibus carrying passengers. The minibus was driving between Marka town and Afgooye town when it came under attack. The gunmen raped three female passengers after they had stripped all passengers off their valuables. The perpetrators fled the scene after the incident.
- 25 December, Afgooye District, Lower Shabelle: At least two new illegal checkpoints, manned by uniformed gunmen, were clandestinely set up on the Mogadishu-Afgooye road, specifically in the areas between Sinka Dher and Lafole. Minibus drivers confirmed that larger

fees were extorted at the checkpoints. The drivers shuttling between Mogadishu and Afgooye complained to the Government about the illegal checkpoints and cruel misconduct of the SNAF soldiers.

- 26 December, Afgooye District, Lower Shabelle: An SNG soldier opened fire on a public transport vehicle, killing a civilian man. The reason for the shooting was unclear but unconfirmed reports indicated that the soldier demanded a bribe at the illegal checkpoint he was manning. The soldier fled the scene after the incident.

Violations by Al-Shabaab

- 3 December, Baardheere District, Gedo: Al-Shabaab militants armed with pistols shot and killed an elderly man in Baardheere town. The victim, a Sufi cleric, was shot in front of his house on his way back from a mosque. The perpetrators were later seen returning to an Al-Shabaab base.
- 3 December, Baardheere District, Gedo: Al-Shabaab militants stormed a private house in Baardheere and arrested a man. He was taken to an unknown location and his status remained unknown. Local residents believed that the man was arrested due to his personal religious beliefs.
- 5 December, Ceel Buur District, Galgadud: The body of an unidentified young man was found in the vegetable market. Local sources indicated that the body had been offloaded from an Al-Shabaab battlewagon earlier in the morning. The motive for the killing was unknown. Al-Shabaab militias were reported to have been conducting security operations in Ceel Buur in the three days prior to the incident.
- 10 December, Baidoa District, Bay: Suspected Al-Shabaab operatives attacked the residence of a local clan elder in Baidoa. The targeted individual was away from his house when the attack occurred. The attackers opened fire at the house but were confronted by a neighbour who fired back and forced them away. No casualties were reported.
- 11 December, Ceel Buur District, Galgadud: The mutilated body of a local civilian man was found in Ceel-Dheer neighbourhood. The motive behind the killing remained unknown. Al-Shabaab militiamen were suspected of killing the man. No arrests were made.
- 12 December, Baardheere District, Gedo: A local civilian was killed in Mataano village. The motive for the killing was unknown. Local residents suspected Al-Shabaab militants of responsibility for the killing.
- 14 December, El Der District, Galgadud: Tensions rose between Al-Shabaab militias and local pastoralists over the payment of Zakat contributions. Al-Shabaab were said to have forcefully seized dozens of camels and detained a prominent elder from the area to put pressure on the local communities.
- 14 December, Baidoa District, Bay: Al-Shabaab militants reportedly abducted three men from their houses and took them to an unknown location. One of the three was apparently beheaded. The reason for the abduction and execution remained unconfirmed.
- 16 December, Luuq District, Gedo: Al-Shabaab militants reportedly beheaded a well-known resident of Luuq District on the outskirts of Luuq town. The victim was a herdsman who was usually caring for livestock of Luuq residents. Reports indicated that he was arrested by

Al-Shabaab fighters in Kureedka area and accused of spying for pro-SNG forces. He was beheaded on the spot.

- 16 December, Baardheere District, Gedo: Elements of an Al-Shabaab security section (*Amniyat*) reportedly arrested three businessmen recently arrived from Mogadishu in the business centre of Baardheere. They were forced into a pick-up truck and taken to an unknown location. The reason for the arrest/abduction was unconfirmed.
- 16 December, Luuq District, Gedo: Al-Shabaab militants beheaded a milk trader in Yurkud, supposedly for selling milk to ENDF troops. The body of the man was displayed near the main road between Luuq and Baidoa.
- 17 December, Yaaqshiid District, Mogadishu: Five civilians were robbed at gunpoint by gunmen in SNG uniforms close to Jungal Junction in Yaaqshiid District. Their mobile phones and other possessions were taken.
- 21 December, Baardheere District: Al-Shabaab forces arrested and abducted two well-known businessmen in Baarheere. One of the men tried to escape and was shot and injured. The reason behind the arrest/abduction was unknown.
- 21 December, Jowhar District, Middle Shabelle: Al-Shabaab reportedly ambushed a vehicle transporting *khat* from Jowhar to Jalalaqsi. Several of the passengers were injured
- 22 December, Baardheere District, Gedo: Al-Shabaab's administration in Baardheere District banned residents from watching Horn Cable and Universal TV channels. The District Commissioner of Baardheere announced that anyone found watching the channels would have his television confiscated and would be brought to court.
- 26 December, Baardheere District, Gedo: One of the top Al-Shabaab officials in Baardheere District, Moalim Daud, warned residents of the town against spying for anti-Al-Shabaab forces. He further added that the Al-Shabaab administration was aware of the high level of infiltration by spies, was monitoring them and would act on intelligence acquired. The statement was delivered from a vehicle mounted with a loudspeaker.
- 26 December, Yeed District, Bakol: Al-Shabaab forces beheaded a man on the outskirts of Rabdhure after accusing him of spying for anti-Al-Shabaab forces.
- 27 December, Kismayo District, Lower Juba: Suspected Al-Shabaab fighters fired several artillery shells at a civilian aircraft after it landed at Kismayo Airport. Three people were injured in the attack.
- 28 December, Hudur District, Bakol: Al-Shabaab forces beheaded a man in Boodan village after accusing him of spying.
- 29 December, Afgooye District, Lower Shabelle: Unidentified gunmen suspected to be Al-Shabaab fighters kidnapped a local resident in Lafoole. An unconfirmed report indicated that the man was working with AMISOM.
- 29 December, Waajid District, Bakol: Al-Shabaab forces briefly arrested seven pastoralists for refusing to pay Zakat contributions.
- 31 December, Jilib District, Middle Juba: The Al-Shabaab administration in Jilib beheaded a man after accusing him of collaboration with anti-Al-Shabaab forces.

Violations by other or unknown actors

- 3 December, Heliwa District, Mogadishu: Unidentified gunmen armed with pistols shot and killed a local businessman in the livestock market area. The victim was an Al-Shabaab defector. The perpetrators managed to escape.
- 3 December, Kismayo District, Lower Juba: Ras Kamboni forces reportedly discovered and dismantled a vehicle-borne IED (VBIED) at the Kismayo seaport facilities. The explosives were reportedly concealed in a truck carrying charcoal. Six individuals were arrested in relation to the incident.
- 4 December, Gaalkacyo District, Mudug: A truck driver was seriously injured when a militiaman from the Sa'ad clan opened fire when the driver refused to pay an illegal tax. No arrests were reported.
- 7 December, Wadajir District, Mogadishu: Unidentified attackers threw a hand grenade at a group of individuals watching a football game in a video shop, killing two and wounding four. One young man who was not from the area was captured and beaten before being taken to a police station for interrogation.
- 9 December, Hodan District, Mogadishu: A hand grenade was reportedly thrown at a residential house in Jaamacadaha area. Reports indicated that the house was the residence of a woman working as a translator for AMISOM. The woman survived but two female relatives were injured. The perpetrator escaped unidentified.
- 11 December, Cadaado District, Galgadud: A truck driver from the Sa'ad/Farle sub-clan was shot and severally injured by a militiaman from the Sa'ad/Jalafle sub-clan manning an illegal roadblock at the north entrance of Galinsoor. No arrests were made.
- 21 December, Dayniile District, Mogadishu: Unknown gunmen armed with pistols shot and killed two young men in Halgan Neighbourhood of Dayniile district. Unconfirmed reports indicated that the two were Al-Shabaab defectors. One of the men was reportedly collaborating with the National Security Agency (NSA).
- 22 December, Wardhiigleey District, Mogadishu: At least four 82mm M10 mortar rounds were fired from Gubta neighbourhood towards Villa Somalia. None of the mortar rounds hit the target. Confirmed impact sites were a residential house close to the office of the Wardhiigley District Commissioner, an IDP camp near Sayidka and Ex-fiyore (all in Wardhiigley District). One woman was killed and four children were injured by one of the mortar rounds.
- 22 December, Cabudwaaq District, Galgadud: A man armed with an AK-47 assault rifle fired at civilians at a teashop in Cabud Waaq. The assailant was reportedly targeting one of the men at the teashop in clan revenge. The intended target escaped uninjured. One person was killed and four others were injured in the shooting.
- 23 December, Dharkenley District, Mogadishu: A minibus driver was shot and injured by a militiaman manning an illegal roadblock in the Macmacanka area. The shooting was reported to have taken place after the driver refused to stop at the roadblock to pay an illegal tax.
- 23 December, Wadajir District, Mogadishu: An unknown attacker threw a hand grenade at a house reportedly occupied by an Al-Shabaab defector in Jiro-Miskiin area. Casualties were unknown. The perpetrator fled the scene.

January 2013

Violations by pro-Government forces

- 5 January, Wanla Weyn District, Lower Shabelle: Unconfirmed media reports indicated that a passenger vehicle carrying civilians in the Lower Shabelle region and on its way to Buur Hakaba (Bay Region) was fired upon by SNG forces. At least two passengers were apparently killed and two others injured.
- 7 January, Dharkenley District, Mogadishu: Armed men dressed in SNG military uniforms robbed civilians of their mobile phones, money and other valuables.
- 12 January, Qansah Dere District, Bay: A pro-SNG soldier opened fire on three women, killing one and injuring the other two. The motive for the shooting was unclear, but reports indicated that the women came from Buurdhuubo village and were allegedly carrying suspicious-looking plastic bags.
- 12 January, Kismayo District, Lower Juba: Anti-Al-Shabaab forces opened indiscriminate fire in the centre of Kismayo. A 10-year-old boy was killed in the shooting. The motive remained unknown.
- 15 January, Wanla Weyn District, Lower Shabelle: AMISOM forces reportedly killed seven civilians in Jiro Yasin Village. The motive for the killing was unclear. Local media accounts differed. Apparently seven individuals, including, three children and four elderly persons, were killed in crossfire as AMISOM forces battled suspected Al-Shabaab fighters.
- 13 January, Wanla Weyn District, Lower Shabelle: Masked men dressed in SNG military uniforms robbed passengers of a minibus.
- 20 January, Jowhar District, Middle Shabelle: An SNG soldier shot and killed a taxi driver in Jowhar. The motive for the killing was unknown, but reports indicated that the driver refused to pay extortion money demanded by the soldier
- 21 January, Hudur District, Bakol: ENDF troops reportedly shot and killed a 20-year-old man after he failed to obey instructions to stop near an ENDF base.
- 26 January, Afgooye District, Lower Shabelle: Masked gunmen in SNG military uniforms forcefully stopped two public minibuses along the Marerey-Afgooye road and robbed the passengers.
- 30 January, Daynile District, Mogadishu: Armed men in SNG military uniforms shot and killed a civilian man in Gubta neighbourhood. Reports indicated that the perpetrators removed the victim from a teashop and shot him on the street. The motive for the killing was unknown. The perpetrators fled the scene.

Violations by Al-Shabaab

- 3 January, Bulo Burto District, Hiran: Local media reported that unidentified gunmen suspected of being Al-Shabaab militiamen attacked a wedding party in Booco village. One woman was shot dead and three other women were seriously injured. The reason for the attack was unknown.
- 11 January, Baardheere District, Gedo: Al-Shabaab intelligence unit operatives shot and killed a young man. The motive for the killing remained unknown.

- 11 January, Baardheere District, Gedo: Unidentified men armed with pistols shot a civilian. The perpetrators were believed to be Al-Shabaab elements.
- 15 January, Jilib District, Middle Juba: Al-Shabaab forces in Jamaame and Jilib towns reportedly arrested eleven individuals, including three women they suspected of spying for SNG forces. All eleven were accused of communicating with SNG forces. The husbands of two of the women belonged SNG forces.
- 17 January, Baidoa District, Bay: Suspected Al-Shabaab elements shot dead a farmer in Dambal. The man, a former soldier, was killed on his farm in the village. The motive for the killing was unclear.
- 18 January, Ceel Buur District, Galgadud: Al-Shabaab arrested more than ten elders of the Dir clan in Derri village. The elders were reportedly detained after they opposed Al-Shabaab's demand for 220 camels from the clan as a contribution to its war against ASWJ.
- 18 January, Afmadow District, Lower Juba: Unidentified gunmen believed to be Al-Shabaab militants abducted a local Koranic school teacher. The victim was abducted while he was on his way to Kismayo for medical treatment. Local elders appealed for his release.
- 19 January, Baardheere District, Gedo: Al-Shabaab militants shot and killed a truck driver in Baardheere. The perpetrators stopped the vehicle, pulled out the driver and shot him dead. The vehicle was carrying passengers from Bulo Xawo. The motive for the killing was unknown, but reports indicated that Al-Shabaab had accused the victim of spying for the KDF in Gedo Region.
- 23 January, Ceel Buur District, Galgadud: Local media reported that Al-Shabaab ordered local traditional elders from Jacar, Bargan, Cagga-Cadde and Garbala villages in Ceel Buur District to provide 200 youth with their food to be part of the 'jihad' against the SNG and ASWJ. The elders reportedly refused to comply with the demands.
- 26 January, Baardheere District, Gedo: Al-Shabaab reportedly shot dead two individuals in the Ali Janale area. The motive for the killing was unclear. One of the victims was a local Koranic schoolteacher.
- 26 January, Waajid District, Bakol: Al-Shabaab arrested two men allegedly for speaking about armed clashes among Al-Shabaab fighters in Walaq village and for passing on information to pro-SNG forces between Marereey and Afgooye.
- 30 January, Baidoa District, Bay: Al-Shabaab reportedly beheaded a young man in Awdiinle village. The militants removed the man from a vehicle between Berdaale and Baidoa while he was travelling with his father. The father was permitted to continue the journey. The reason for the killing was unknown. An unconfirmed report indicated that the victim was often chewing *khat* with anti-Al-Shabaab forces in Berdaale.

Violations by other or unknown groups

- 4 January, Garowe District, Nugaal: Two gunmen manning an illegal checkpoint in Darayla opened fire on a private vehicle following a dispute, probably over payment of an illegal tax. Two individuals in the car were injured in the attack.
- 12 January, Wadajir District, Mogadishu: A bomb attack targeted a convoy of a member of parliament. The MP and two of his bodyguards were slightly injured. Several civilians in the vicinity were also injured in the blast.

February 2013

Violations by pro-Government forces

- 3 February, Wanla Weyn District, Lower Shabelle: An armed group in SNG military uniforms stopped a minibus by force in an area between Leego and Yaq Biri Weyne and robbed its passengers of their money and cellular phones. SNG forces based in Leego conducted a security operation after the incident but made no arrests.
- 8 February, Wardhiigleey District, Mogadishu: An SNG soldier shot and killed a truck driver in Bakaara Market after the driver reportedly refused to pay money being extorted.
- 21 February, Garowe District, Nugaal: Puntland intelligence soldiers severely beat a civilian man in the Hodan neighbourhood in Garowe. Reports indicated that the incident occurred after the man in his private vehicle and the soldiers in another vehicle attempted t use a narrow road at the same time. The man was arrested and later released.
- 22 February, Daynile District, Mogadishu: SNG forces manning a checkpoint in the Dhay Maroodi neighbourhood opened fire at a minibus after the driver reportedly ignored instructions to stop. Three passengers were injured in the attack.

Violations by Al-Shabaab

- 1 February, Jilib District, Middle Juba: Al-Shabaab beheaded a civilian man after accusing him of spying for the SNG. The victim's body was displayed on the northern side of the town. The victim had been a municipal officer in the Government of Siyad Barre and was not involved in any administration since 1991.
- 3 February, Jilib District, Middle Juba Region: Al-Shabaab fighters arrested at least ten individuals they suspected of being affiliated with anti-Al-Shabaab forces.
- 5 February, Buur Hakaba District, Bay: Al-Shabaab fighters shot and killed a civilian man in Dolandole village after the man reportedly tried to prevent them from burning a truckload of charcoal he was planning to transport to Mogadishu. After the killing, the Al-Shabaab fighters drove the charcoal truck in the direction of Buur Hakaba.
- 7 February, Waahid District, Bakol: Al-Shabaab fighters arrested two male passengers who were travelling to Burdhuhunle, and accused them of delivering livestock to some pro-SNG soldiers in Baidoa.
- 9 February, Barawe District, Lower Shabelle: Al-Shabaab fighters shot and killed a civilian man and injured another. Reports indicated that the shooting occurred after the two local businessmen refused to pay Zakat contributions.
- 9 February, Jilib District, Middle Juba: Al-Shabaab fighters beheaded a man they suspected of being an SNG soldier.
- 10 February, Barawe District, Lower Shabelle: The dead bodies of two beheaded men were found. Reports indicated that Al-Shabaab executed the men after suspecting them of links with the SNG.
- 13 February, Jamaame District, Lower Juba: Al-Shabaab fighters shot and killed a pastoralist and arrested nine others in a remote location about 18 kilometres north of Jamaame. The

incident occurred after the pastoralists reportedly refused to pay Zakat contributions to the Al-Shabaab fighters.

- 17 February, Cabdlcasiis District, Mogadishu: A VBIED exploded in the parking lot of the Lido Beach Seafood Restaurant. Two individuals were reportedly killed and four others injured. Nine cars were damaged.
- 17 February, Bulo Burto District, Hiran: Local media reported that Al-Shabaab fighters arrested two medical doctors and a nurse in Halgan. Reports indicated that the medical team had left Belet Weyne to operate a mobile clinic in the village. The Al-Shabaab fighters claimed that the team had not informed them about their mission.[20]
- 18 February, Belet Xaawo District, Gedo: Al-Shabaab fighters shot and killed two pastoralists in Gadoon village. The motive behind the killing was not ascertained.
- 18 February, Baardheere District, Gedo: Al-Shabaab fighters raided the house of a local civilian in Baardheere town. The man was taken to an unknown location. The reason for his arrest or abduction and his whereabouts were not ascertained.
- 23 February, Baardheere District, Gedo: A local website reported that Al-Shabaab fighters in Baardheere town had arrested two men who had recently returned from Mogadishu after an absence of about 30 days. The report indicated that Al-Shabaab suspected the men of spying for the Government, and added that Al-Shabaab were seen in the town using cars mounted with loudspeakers to warn the local population against collaboration with the SNG.[21]
- 24 February, Bulo Burto District: Al-Shabaab banned the residents of Bulo Burte from watching television. Al-Shabaab officials made the announcement through loud speakers mounted on pick-up trucks and warned that anyone defying the decree would face a five-month jail term and their television sets would be confiscated.
- 25 February, Badhaamdhe District, Lower Juba: Al-Shabaab fighters shot and killed two men transporting *khat*.
- 28 February, Baidoa District, Bay Region: Al-Shabaab beheaded a man in Aawdiinle village. The motive behind the execution was unclear.

— *Violations by other or unknown actors*

- 1 February, Belet Xaawo District, Gedo: Gunmen probably affiliated with anti-Al-Shabaab forces shot and killed a young man. The man was playing cards with friends when a group of anti-Al-Shabaab forces ordered them to stop the game and go home. The youths ignored the soldiers' order and continued playing cards. Armed men later came, opened fire at them and killed the young man. The identity of the shooters could not be confirmed.
- 2 February, Yaaqshiid District, Mogadishu: An unidentified attacker threw a hand grenade at Towfiiq Police Station. Reports indicated that the device exploded at a housed adjacent to the station and killed a civilian woman and her daughter. Another civilian in the house was also injured in the blast. The perpetrators fled the scene.
- 3 February, Gaalkacyo District, Mudug: Sa'ad militiamen opened fire at a minibus when the driver ignored instructions to stop in an area between Dagaari Yar and Sadex Higlo. Reports

[20] See: http://www.hiiraannet.com/?p=33770.
[21] See: http://dhacdo.com/main/news.php?readmore=15229.

indicated that the gunmen wanted to rob the passengers of the vehicle. Two passengers were killed and three others were injured.

- 3 February, Xamar JaabJab District, Mogadishu: Unknown attackers threw a hand grenade at Madina Hotel. The security guards of the hotel responded by firing in the direction of the attackers. Several hotel security guards were injured in the blast. The perpetrators managed to escape. SNG MPs and other politicians frequent the hotel.
- 5 February, Baidoa District, Bay: An unidentified attacker threw a hand grenade at ENDF soldiers in Berdale neighbourhood of Baidoa. One ENDF soldier and 14 civilians were reportedly wounded in the explosion. Two of the civilians were seriously injured. Pro-SNG forces pursued the attacker and arrested him.
- 5 February, Kismayo District, Lower Juba: Ras Kaamboni forces shot and killed a civilian man in the Shaqaalaha neighbourhood, after he reportedly refused to obey instructions to stop and tried to run away.
- 7 February, Wadajir District, Mogadishu: A bomb attack aimed at an AMISOM military convoy missed its target in an area between Medina and Banaadir hospitals in Medina District. Three civilians were reportedly wounded in the blast.
- 8 February, Wardhiigleey District, Mogadishu: Unidentified men armed with pistols shot and killed a man said to be an informant for the SNAF in the Beerta Darawishta area. The assailants fled the scene immediately after the attack.
- 9 February, Gaalkacyo District, Mudug: Sa'ad militias paraded before the media several men they had abducted from Galkacyo North. The abduction followed the November 2012 arrest by Puntland forces of a high level Al-Shabaab operative and member of the Sa'ad clan. The captives reportedly called on the Puntland authorities and traditional leaders to step up efforts to secure their release.
- 10 February, Bossaso District, Bari: Unidentified gunmen in paramilitary uniforms attacked Golis Telecom in Bosasso. The gunmen intercepted a vehicle belonging to the company before attacking the premises. They fired two rocket-propelled grenades (RPGs) and small arms at the company's power generators. The police arrived and engaged in a brief exchange of fire before the attackers withdrew. The motive of the attack was unconfirmed. The governor of Bari Region declared to the media that opposition politicians were behind the attack, a charge refuted by those incriminated. A child was killed in the crossfire.
- 11 February, Gaalkacyo District, Mudug: Sa'ad militiamen kidnapped two men from the Darood/Majerteen/Isse Mohamud and Darod/Leylkase sub-clans close to the 'Green Line' separating Puntland and Galmudug. The abduction was linked to the previous arrest by Puntland security forces of an Al-Shabaab operative of the Sa'ad clan in November 2012.
- 12 February, Belet Weyne District, Hiran: An unidentified attacker threw a hand grenade at a teashop frequented by pro-SNG soldiers near the livestock market in the Hawl-Wadaag neighborhood. A civilian man was reportedly killed while two others were injured. The assailant fled the scene.
- 13 February, Wardhiigleey District, Mogadishu: A security guard of the District Commissioner of Wardhiigley District shot and killed a young football player. The incident occurred following an argument that escalated between the militiaman and the victim. The perpetrator tried to escape but was arrested. The victim and other youth were playing soccer when the incident took place.

- 23 February, Karaan District, Mogadishu: A hand grenade was thrown at a public video shop where local residents were watching a football game. The grenade hit a perimeter wall. One person was injured.

March 2013

Violations by pro-Government forces

- 6 March, Wardhiigleey District, Mogadishu: Two men in SNG military uniform shot and killed a man in Ali Kamiin area. The perpetrators fled the scene after the shooting. Unconfirmed reports indicated that the killing was possibly motivated by clan revenge.
- 6 March, Kismayo District, Lower Juba: Anti-Al-Shabaab soldiers killed two civilians and wounded another one in an attempt to rob a *khat* dealer in the centre of Kismayo town. Local security forces arrested the perpetrators.
- 6 March, Kismayo District, Lower Juba: An anti-Al-Shabaab soldier opened fire at a crowded public teashop in Kismayo. Two individuals were wounded. The motive behind the incident was not ascertained. The soldier managed to flee the scene but was later arrested by local security forces.
- 7 March, Ceerigaabo District, Sanag: A Somaliland soldier armed with a pistol shot and injured three civilians in the centre of Ceerigaabo. The three victims (two men and one woman) were taken to Ceerigaabo hospital for treatment. The assailant was arrested by the local police and reported to be drunk at the time of the incident.
- 9 March, Afgooye District, Lower Shabelle: Three civilians and an SNG soldier were killed and six other civilians were wounded in a shootout between SNG military forces in the main market area in Afgooye. The shootout followed a dispute over *khat* by some members of the military forces. The wounded civilians were reported hospitalized at Afgooye District Hospital.
- 13 March, Hawl Wadaag District, Mogadishu: An NSA soldier armed with an AK-47 shot and killed a young man near Xareed Mosque. The soldier reportedly shot the young man for accusing him of being an informer for the *Amniyat* security section of Al-Shabaab. Other NSA soldiers arrested the perpetrator.
- 15 March, Heliwa District, Mogadishu: The dead body of a young man with gunshot wounds to his head and chest was discovered in Dubai village, Livestock Market. The residents indicated that SNG soldiers had captured the man during a security operation in the district three days earlier after they suspected him of belonging to Al-Shabaab.

Violations by Al-Shabaab

- 1 March, Cabdlcasiis District, Mogadishu: A suicide attack targeted Indian Ocean Star Seafood Restaurant along the beachfront in Lido. The initial attacker was a suicide bomber on foot who triggered his explosive vest inside the restaurant. Another suicide bomber conducted a secondary attack by driving a vehicle into the vicinity of the restaurant while the public was rushing to the scene to help survivors. Four individuals, including the suicide bombers, were reported killed and seven others injured.

- 4 March, Baardheere District, Gedo: Al-Shabaab fighters shot and killed a civilian man in Baardheere. The man had been arrested hours before his death. The motive behind the killing was not clear but reports indicated that Al-Shabaab accused the man of transporting weapons secretly from Baardheere to Garbarhaarey for ASWJ.
- 4 March, Jamaame District, Lower Juba: Al-Shabaab fighters shot and killed two pastoralists who were refusing to pay Zakat contributions to Al-Shabaab in Balacad.
- 5 March, Baardheere District, Gedo: A group of Al-Shabaab fighters with 12 'technicals' reportedly arrived in Baardheere. The fighters were new to the town and may have arrived from Bay Region. After their arrival, Al-Shabaab authorities imposed restrictions on movements of all civilians in Baardheere town.
- 8 March, Buur Hakaba District, Bay: Al-Shabaab fighters detained a passenger travelling to Mogadishu at Ugaarey, approximately ten kilometres northeast of Buur Hakaba. Reports indicated that Al-Shabaab found the man to be carrying Ethiopian identification.
- 10 March, Garbahaarey District, Gedo: Al-Shabaal fighters shot and killed a civilian in Ceel Macow village. The motive behind the killing was not clear.
- 10 March, Luuq District, Gedo: Al-Shabaab fighters shot and killed a man outside Luuq district. The man was an SNG defector travelling to Waajid District.
- 11 March, Jamaame District, Lower Juba: Al-Shabaab fighters executed three men who had been in prison for over a month on charges of associating, cooperating and spying for the SNG in Jamaame District. The bodies of the dead men were left at the northern side of Jamaame and discovered by local individuals.
- 16 March, Qoryooley District, Lower Shabelle: An Al-Shabaab court in Qoryooley District sentenced a young man to death for allegedly spying for the Burundian contingent of AMISOM. The execution of the man was carried out in public.
- 18 March, Wardhiigleey District, Mogadishu: A suicide car bomber targeting the NSA commander for Banadir Region, Ahmed Khalif "Ereg", detonated close to the commander's convoy on a stretch of road near the Womens' Association Building and the upmarket Village Restaurant, frequented by the Mogadishu elite. A civilian minibus, reportedly with pupils on board, absorbed the main impact of the blast. Eight individuals were confirmed killed and dozens injured. Ereg was reportedly wounded. An Al-Shabaab spokesman claimed through the pro-Al-Shabaab website Somali Memo that his group carried out the attack to avenge the alleged summary execution of dozens of Al-Shabaab sympathizers/members in Mogadishu.
- 19 March 2013, Baardheere District, Gedo: Al-Shabaab fighters arrested six *madrasa* teachers for not including Al-Shabaab teachings in their curriculum.
- 19 March 2013, Baidoa District, Bay: Al-Shabaab fighters shot and killed a civilian man near Iskadarka Junction about 8 kilometres outside Baidoa. The motive for the killing was unknown.
- 23 March 2013, Buur Hakaba District, Bay: Al-Shabaab fighters opened fire on a civilian vehicle in Doog Yarey village after the driver reportedly ignored instructions to stop. Two female passengers were injured in the attack. The vehicle managed to escape.
- 26 March 2013, Qansah Dere District, Bay: Al-Shabaab fighters beheaded a well-known religious leader in Tiirka village. The sheikh was killed after an argument escalated when he protested against the levy imposed by Al-Shabaab on farmers in the village. Al-Shabaab had

earlier issued a decree ordering all farmers intent on growing crops in the village to pay 400,000 Somali shillings, failing which they risked being prevented from growing crops.

Violations by other or unknown actors

- 2 March 2013, Gaalkacyo District, Mudug: A gunman from the Madhiban clan armed with an AK-47 shot and killed a civilian shopkeeper from the Rahanweyn clan near Miir police station in Horumar neighborhood. The motive for the attack was unknown. The perpetrator fled the scene.
- 3 March 2012, Wardhiigleey District, Mogadishu: Unidentified men armed with pistols shot and killed a female medical student in Hararayale neighbourhood. The perpetrators fled the scene.
- 5 March 2013, Wardhiigleey District, Mogadishu: Two mortar shells or B10 rockets landed close to Sinai Junction. Two civilians were injured. The target of the mortar attack was not ascertained.
- 5 March 2013, Laas Caanood District, Sool: An unidentified gunman opened fire at a crowd in a teashop in Madareemin village. One man from the Rahanweyn clan was killed and two other men were injured. The assailant fled the scene after the shooting.
- 6 March 2013, Baidoa District, Bay: Unidentified gunmen shot dead a civilian man on the southern outskirt of Baidoa town. The body was discovered the next morning. The motive for the killing was unclear. Reports indicated that the victim worked as a tailor and had defected from Al-Shabaab several months before.
- 6 March 2013, Bossaso District, Bari: Unidentified attackers threw a hand grenade at a microwave signal transmission complex belonging to Golis Telecom near Fatima Mosque. The security guards at the Golis facility fled the scene after the attack. No casualties were reported. The perpetrators managed to escape.
- 9 March 2013, Jowhar District, Middle Shabelle: Unidentified attackers threw a hand grenade at a private residential house in Jowhar's Hanti Wadaag neighbourhood belonging to the Middle Shabelle regional administrator. Reliable sources indicated that senior officials were inside the house when the attack occurred, but no casualties were reported.
- 10 March 2013, Buur Hakaba District, Bay: Unidentified armed men shot and killed a man affiliated with Somali Government forces. The perpetuators fled the scene.
- 13 March 2013, Waaberi District, Mogadishu: Unidentified attackers threw a hand grenade at the residence of the Waberi District Commissioner located near Waberi police station. Two of the District Commissioner's bodyguards and a female bystander were injured in the blast. One alleged perpetrator was reportedly arrested.
- 16 March 2013, Afgooye District, Lower Shabelle: Unidentified attackers threw a hand grenade at the private residence of the district administrative secretary in Dhagax Tuur neighborhood. The security guards protecting the residence responded with gunfire. No casualties were reported.
- 17 March 2013, Hawl Wadaag District, Mogadishu: Unknown men armed with pistols killed a local taxi driver in Shanta Geed neighbourhood. Unconfirmed reports indicated that he was killed because his sons are members of SNG security forces. The perpetrators fled the scene unidentified.

- 23 March 2013, Kismayo District, Lower Juba: A bomb targeted a teashop frequented by anti-Al-Shabab forces in the Calanley neighbourhood. Ten civilians were reportedly wounded in the blast.
- 24 March 2013, Buur Hakaba District, Bay: A bomb was detonated in a restaurant frequented by SNG forces. The soldiers responded by opening fire. A child was killed in the shooting.
- 28 March 2013, Marka District, Lower Shabelle: Biyomaal militias reportedly attacked officials from the Janaale administration in Buufow Bacaad on the Afgooye-Marka road. Two individuals were reportedly killed and four wounded. The District Commissioner of Janaale was reported seriously injured. The administration vehicle was destroyed and abandoned. Al-Shabaab was suspected of fuelling clan tensions opposing the Biyomaal and Habr Gedir clans in the area.

April 2013

Violations by pro-Government forces

- 1 April 2013, Hodan District, Mogadishu: Gunmen dressed in SNG military uniforms opened fire at a minibus carrying *khat* in the vicinity of the former Tolmada factory in Shirkole Officiale neighbourhood. Two female *khat* traders were killed and another injured. The perpetrators stole some *khat* and escaped.
- 1 April 2013, Mogadishu: The Somali Federal Parliament formed a committee tasked with the investigation of the murders of five young men in Mogadishu in late March 2013. The bodies of the young men were found in different parts of Mogadishu and rumours indicated that the five were arrested and executed by SNG forces.
- 8 April 2013, Wanla Weyn District, Lower Shabelle: Unidentified gunmen dressed in SNG army uniforms reportedly fired on a public minibus carrying passengers heading to Baidoa from Mogadishu in an area close to Leego village. Five passengers were injured in the shooting and later rushed to Madina Hospital for emergency medical care. The attackers fled the scene after the shooting.
- 9 April 2013, Xamar JaabJab District, Mogadishu: Unidentified gunmen armed with AK-47 rifles and dressed in SNG army uniforms reportedly shot and killed a civilian man in Israac neighbourhood. The motive for the killing was not established. The assailants reportedly stole the victim's mobile phone when they fled the scene.
- 10 April 2013, Wardhiigleey District, Mogadishu: An SNG soldier reportedly shot and killed a teenage boy on his way to a local mosque in Hama-Jadid. There were speculations that the victim may have been an Al-Shabaab member/sympathizer. The killer fled the scene after the attack
- 11 April 2013, Kismayo District, Lower Juba: Reports indicated that an SNG soldier opened fire at a public transport minibus after the driver of the vehicle failed to stop in Calanley neighbourhood in Kismayo town. A female passenger was killed and her sister wounded. The soldier managed to flee the scene.
- 12 April 2013, Belet Weyne District, Hiran: ENDF soldiers in Belet Weyne shot and killed a member of the local administration, Abdi Gubte, and injured three other civilians. The shooting took place outside Jamka mosque in Koshing neighborhood before the Friday prayer.

The reason behind the killing remained unclear. Unconfirmed reports indicated that the killing might have been linked to criticism of the ENDF expressed by the official through the local media. Other rumours indicated that ENDF forces removed a pistol from the victim. Tensions between local residents and ENDF forces apparently increased significantly after the killing.

- 13 April 2013, Bossaso District, Bari: A soldier shot and injured a local boy following an private dispute that escalated. The soldier was arrested and the victim was taken to Bosasso General Hospital for treatment.

Violations by Al-Shabaab

- 5 April 2013, Afgooye District, Lower Shabelle: Al-Shabaab militants launched a hit-and-run attack against SNG forces based in Lafole area along the Mogadishu-Afgooye road. Five civilians were injured after a minibus they were travelling in was caught in the crossfire. Casualties from either side could not be established.
- 8 April 2013, Garbahaarey District, Gedo: Suspected Al-Shabaab operatives shot dead a civilian in Tuulo Barwaaqo village. The reason behind the killing of the man was not clear. The perpetrators fled the scene. The victim was a close relative of Iman Adow, the District Commissioner of Garbahaarey, and visited the town frequently for family and other reasons.
- 9 April 2013, Jilib District, Middle Juba: Al-Shabaab fighters raided a house in Jilib town and killed its owner, a former Siyad Barre era military officer who retired to farming. The bullet-riddled body of the man was found at a spot behind his house. The farmer had no known affiliation with the Somali Government or any anti-Al-Shabaab groups.
- 9 April 2013, Hudur District, Bakol: Al-Shabaab officials in Hudur held a meeting with the residents and urged them to speed up payment of Al-Shabaab levies imposed on farmers. The officials told the residents no further delays in the payment of these levies would be accepted. The residents were also told to donate livestock to Al-Shabaab.
- 14 April 2013, Xamar Weyne District, Mogadishu: A group of nine Al-Shabaab fighters, some of whom were dressed in SNG uniforms, launched a complex attack against the Somali High Court. The attackers, six of whom reportedly wore suicide vests, apparently used an SNG police/military vehicle to conduct the attack and may also have placed IEDs in vehicles in the area to intensify the attack. After entering the compound of the High Court, three of the attackers exploded their vests and the remaining six entered the court building killing at least two lawyers and the court spokesman. A number of people in the building reportedly barricaded themselves on the upper floors. Security forces surrounded the area and at around 13:00 the crowd in the area was attacked by a suicide VBIED. Following the VBIED attack, SNG special forces (Alpha Group) deployed, assaulted the building and killed the attackers. Some of those barricaded on the upper floors of the building were rescued with ladders. A total of 35 individuals, including two NGO staff members working at the court to support women in gender based violence cases and nine attackers, were reportedly killed during the attack. An unexploded VBIED was discovered in front of the court the following morning.
- 14 April 2013, Wadajir District, Mogadishu: A VBIED attack occurred along the Airport-K4 road in the proximity of the Peace Hotel 2. A small vehicle (Toyota Carib) was used in the attack. It was not clear if this vehicle was parked along the side of the road or was mobile. The explosion of the vehicle impacted a convoy of a Turkish humanitarian agency, killing one

driver, two security guards (unconfirmed) and a female bystander. Two Turkish humanitarian workers were also reportedly injured and referred for treatment to the Al-Shifa Hospital before being evacuated to Turkey. The actual target of the attack was unconfirmed. Available information suggested that the VBIED was probably targeting either the airport, but was prevented from proceeding after the road had been blocked following the first attacks on the High Court, or any AMISOM convoy that could have been sent as a reinforcement from the airport to the High Court. The attack on the Turkish convoy seems to have been opportunistic and conducted only after it appeared clear to the suicide bomber that his primary target could not be reached. An NGO-rented vehicle parked close to Peace Hotel 2 was also destroyed by the blast. No casualties were however reported from that NGO. The same day, the pro-Al-Shabaab website Somali Memo broadcast an interview with the Al-Shabaab Spokesman, Sheikh Ali Mohamud Raghe "Ali Dheere", who commented on the two attacks conducted in Mogadishu. During the interview, the Spokesman clamed Al-Shabaab responsibility for the attacks and celebrated the actions of the Mujahedeen. Regarding the second VBIED attack along Airport Road, the Spokesman stated that "reinforcements of foreign mercenaries" had been targeted.

- 15 April 2013, Hudur District, Bakol: Al-Shabaab fighters opened fire and wounded a civilian in Dudumaaley village. The victim presumed the Al-Shabaab fighters to be SNG soldiers and began to run before he was shot.
- 15 April 2013, Wanla Weyn District, Lower Shabelle Region: Suspected Al-Shabaab operatives beheaded a man in Leego village and dumped his body on the roadside. The motive was unknown. Reports indicated that the perpetrators seized the victim from Wanla Weyn town a few days earlier.

Violations by other or unknown actors

- 2 April 2013, Gaalkacyo District, Mudug: A local militia group manning an illegal checkpoint in Karin village, 40 kilometres south of Galkacyo, reportedly divided into two groups and established another road block in Balaqey village on 13 March 2013. The move led the local population to take up arms and engage in an armed clash with the militias before chasing them away. One militiaman was reportedly injured. The vehicle of the militias was also destroyed during the clash.
- 2 April 2013, Yaaqshiid District, Mogadishu: Unidentified armed men with pistols shot and killed a teashop owner near Jungal Market. The motive of the killing was unknown.
- 2 April 2013, Zeylac District, Awdal Region: The body of a local youth organisation leader was discovered in Zeylac town. The body had knife wounds. The motive as well as the identity of the murderers was unknown.
- 2 April 2013, Hawl Wadaag District, Mogadishu: A bomb targeted the Dahabshiil main office located in Bakaara market. Two individuals, a security guard and a civilian, were injured in the blast. The explosion damaged the front doors of the office. The explosion followed days after Al-Shabaab ordered Dahabshiil branches in areas under its control to close. The group accused the company of working for aid agencies it had banned.

- 3 April 2013, Gaalkacyo District, Mudug: A militiaman shot and injured a young man in Israac neighbourhood in Galkacyo North. The motive was unknown. The perpetrator came from the Majeerten/Omar Mohamud subclan while the victim was from southern Somali.
- 6 April 2013, Afgooye District, Lower Shabelle: Unidentified attackers threw a hand grenade at NSA forces in a pick-up truck in the livestock market area in Afgooye. The soldiers responded by firing in the direction of the attackers. Four civilians were reportedly injured in the explosion, and one later succumbed to her injuries in Afgooye Hospital. The perpetrators managed to escape. The soldiers launched a security operation after the incident and arrested several individuals they suspected of responsibility for the attack.
- 9 April 2013, Yaaqshiid District, Mogadishu: Unknown attackers threw a hand grenade at the office of the District Commissioner of Yaaqshiid, Mogadishu. The hand grenade bounced off the perimeter wall of the building, injuring a female bystander. The attackers fled the scene after the blast.
- 9 April 2013, Heliwa District, Mogadishu: Unidentified gunmen armed with pistols shot dead a civilian man in Gantalaha Livestock Market. The victim was a businessman and operated a shop in the area. The motive for the killing was unclear and the assailants fled the scene immediately after the attack.
- 12 April 2013, Buur Hakaba District, Bay: Unidentified men armed with pistols shot and injured a businessman in the centre of Buur Hakaba town. The victim was rushed to the hospital where he succumbed to his injuries. The motive was unclear but reports indicated that the victim was involved in business transactions with SNG forces in the district. Further reports indicated that Al-Shabaab fighters had in the past ordered him to stop conducting business with SNG forces.
- 13 April 2013, Cabudwaaq District, Galgadud: Unknown gunmen kidnapped a local medical doctor in Cabud Waaq, took him 30 kilometres outside the town and killed him. The motive for the killing was not ascertained.
- 15 April 2013, Gaalkacyo District, Mudug: A teenage boy from the Sa'ad clan who was taken hostage by Majeerten/Isse Mohamud militiamen was returned to his family in Galkacyo South. Efforts followed to release a Majeerten/Isse Mohamud man who was abducted by Sa'ad militiamen in revenge.

Annex 8.1.a: Attacks on journalists and the media

1. The year 2012 was the deadliest on record for Somalia's media. Eighteen journalists were killed either in bomb attacks or as direct targets of murder. According to Reporters Without Borders (RWB), Somalia was the second most dangerous country in the world, after Syria, for those working in news and information. As a result of killings, systematic censorship and intimidation, Somalia ranked 175 out of 179 countries in RWB's World Press Freedom Index.[1] An additional three journalists were killed through April 2013.

2. Al-Shabaab publicly claimed responsibility for several killings of journalists,[2] but not others. Some reports attribute responsibility to Government forces. For example, in September 2012, Ahmed Abdulahi Farah, a photographer working for the Yemeni news agency *Saba*, was shot dead on a minibus at a checkpoint in the southern district of Madina, Mogadishu. According to initial information, when he tried to photograph the checkpoint, the armed men in military uniform manning it opened fire.[3] In addition, journalists covering stories about corruption in the Government have been particularly targeted.

3. Furthermore, the media in Somalia are routinely subjected to intimidation and censorship. While the January 2013 arrest by Somali authorities of Abdiaziz Abdinur Ibrahim, tried and sentenced for speaking to a rape victim, was well publicized (see annex 8.2. below), there are many other cases throughout the country of journalists and media outlets censored or otherwise penalized for upholding freedom of the press. In an attempt to tackle the problem, on 19 February 2013, the Federal Government of Somalia offered a 50,000 USD reward for information leading to the conviction of anyone responsible for the killing of journalists. Media reports quoted Prime Minister Abdi Farah Shirdon as saying the reward would help bring the killers to justice.[4]

Summary of incidents

4. The following incidents were compiled from NGO and UN security reports and illustrate the working conditions of the media in Somalia.[5]

August 2012

- 4 August, Borama District, Awdal: Somaliland police beat a female journalist working for Somaliland National TV. Reports indicated that police assaulted the reporter as she tried to cover a dispute over the guardianship of a child at Borama police station.

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[1] Reporters Without Borders, World Press Freedom Index 2013, available at: http://fr.rsf.org/IMG/pdf/classement_2013_gb-bd.pdf

[2] For example Al Shabaab, claimed responsibility for the killing of journalist Ali Ahmed Abdi in Galkayo in March 2012.

[3] See: "Two more journalists killed in Somalia," 1 October 2012, at http://www.anhri.net/en/?p=9698.

[4] See: http://sonna.net/content/mudaneyaasha-baarlamanka-oo-diiday-meel-marinta-miisaanida-sanadka-soo-socda-ee-2013.

[5] To protect sources and victims against retaliation, incidents reports by NGO and UN security officials do not include identifying information. Furthermore, because of lack of access, certain details regarding these verified incidents could not be confirmed or followed-up on.

- 7 August. Bossaso District. Bari: Puntland security forces occupied and closed independent Horseed FM radio in Bosasso. No explanations were given to the radio station management.
- 8 August. Borama District. Awdal: Somaliland authorities arrested a reporter, Yusuf Ali Indho-Quruh, working for Royal TV in Borama. The reasons for the arrest were unknown.

September 2012

- 13 September. Borama District. Awdal: Somaliland police arrested two journalists working for Somalisat and Bulsho TV in Borama. The journalists were reportedly arrested for canvassing local opinions regarding the election of the new Somali president.
- 20 September. Xamar Weyne District. Mogadishu: Two suicide bombers targeted Village Restaurant in the former Women's Association Building adjacent to the National Theatre. Two Somali journalists were among the 15 individuals killed and many injured.
- 21 September. Yaaqshiid District. Mogadishu: Unidentified men armed with pistols shot and killed a journalist working for Radio GBC at Bar Ayaan Junction. The assailants shot the victim on his way to work and immediately fled the scene. The SNAF later arrived but made no arrests.
- 22 September. Zeylac District. Awdal: Somaliland police in Zeylac arrested a National TV reporter at his house early in the morning. The motive for his arrest was unknown.
- 26 September. Heliwa District. Mogadishu: Unidentified assailants beheaded a local journalist in the livestock market area. The victim, an online sports journalist, was visiting his mother in the neighbourhood at the time.
- 28 September. Dharkenley District. Mogadishu: A pro-Government militia manning a roadblock in Kaawa Gudey neighbourhood opened fire at a passenger vehicle. One passenger, a journalist, was killed. The militiamen shot at the vehicle as the driver attempted to force his way through the checkpoint to avoid paying illegal taxes. The victim used to work for a Yemen-based radio station. SNG soldiers and police officers arrived at the scene but made no arrest.
- 30 September. Hargeysa District. Waqooyi Galbeed: Somaliland police briefly detained the editor of Saxafi, a local Somali language daily newspaper. The motive for the arrest was reportedly linked to the recent publication by the newspaper of an article on the visit of foreign intelligence officers to Somaliland.

October 2012

- 10 October. Gaalkacyo District. Mudug: Three local journalists were physically assaulted and their equipment confiscated by bodyguards of the Galmudug Minister of Information, allegedly for covering the return of the former Galmudug President to Galkacyo. One of the journalists was reported to have been working for Radio Bar Kulan.
- 10 October: The American journalist Michael Scott, who was abducted by a pirate group in Galkacyo in January 2012, issued a statement in which he feared being traded to Al-Shabaab if a ransom was not paid within three days.

- 12 October, Laas Caanood District, Sool: Somaliland police arrested more than 10 organizers of a demonstration supporting the appointment of the new Somali Prime Minister. The individuals arrested reportedly included women, youth and three reporters of Universal TV.
- 19 October, Wadajir District, Mogadishu: Two men armed with pistols shot and seriously injured a journalist working for Radio Shabelle in the Hawo Tako neighbourhood. The victim suffered from several chest wounds.
- 23 October, Laas Caanood District, Sool: Unidentified gunmen shot and killed a reporter of the London-based Universal TV. The motive for the killing was unknown.
- 28 October 2012, Wadajir District, Mogadishu: A Radio Shabelle journalist died in Medina Hospital following injuries inflicted on 21 October, when he was shot several times by unidentified assailants in Medina District.

November 2012

- 17 November, Laas Caanood District, Sool: Somaliland police arrested the locally based Bar-Kulan Radio correspondent. Reports indicated that the journalist was arrested on the order of the Sool Regional Governor.
- 21 November, Xamar JaabJab District, Mogadishu: SNG police arrested the BBC stringer, Ibrahim Mohamed Adan. The journalist was summoned to the SNG military court, after which he was detained at the central police station. The motive for his arrest was unknown.

December 2012

- 14 December 2012, Hargeysa District, Waqooyi Galbeed: The editor-in-chief of Waaheen newspaper, Mohamud Abdi Jama, was summoned to the Criminal Investigation Division (CID) office and detained pursuant to a warrant issued by the Hargeisa Regional Court. The arrest was reportedly linked to the newspaper's coverage of events organized by independent human rights activists commemorating the 2012 Human Rights Day. At the event, the chairman of the independent human rights forum spoke about rampant corruption within the Somaliland Government and diversion of funds allocated for the National Television by the son-in-law of the Somaliland President.

January 2013

- 10 January 2013, Hodan District, Mogadishu: SNG police arrested a local journalist and detained him at the CID headquarters. The journalist was reportedly arrested for interviewing a woman allegedly raped by armed men dressed in SNG military uniforms.
- 12 January 2013, Qardho District, Bari: Puntland police briefly detained a local journalist after accusing him of working for Puntland opposition politicians and allegedly airing reports of press releases issued by anti-Farole politicians.
- 18 January 2013, Wadajir District, Mogadishu: Unidentified men armed with pistols shot and seriously injured a journalist working for the Mogadishu-based Radio Shabelle. The victim was shot in the head and chest several times, and later died in hospital. The perpetrators fled the scene.

- 23 January 2013, Kismayo District, Lower Juba: The spokesman for the Ras Kamboni Brigades, Abdinasir Serar, warned journalists based in Kismayo against publishing reports without first obtaining clearance from the armed group.
- 23 January 2013, Gaalkaayo District, Mudug: The two deputy governors of Mudug Region and the Puntland Minister of Posts and Information invited all journalists of Mudug Region for a meeting in Gaalkaayo. The meeting was intended to introduce the new regional media coordinator. One of the deputy governors instructed local journalists not to disseminate reports about anti-President Farole demonstrations and to avoid interviewing political opponents.
- 29 January 2013, Mogadishu: Human Rights Watch called on the SNG to "drop politically-motivated charges" against five persons including a journalist and a woman who alleged she had been raped by SNG soldiers. In an official communiqué Human Rights Watch stated that the police "investigation in this case was a politically motivated attempt to blame and silence those who report on the pervasive problem of sexual violence by Somali security forces". The journalist was charged with insulting the Government and inducing the woman to give false statement, while the woman was charged with insulting the Government and making false accusation. HRW considered that the charges violated the right to seek, receive, and impart information.

February 2013

- 5 February 2013, Mogadishu: Banadir regional court sentenced a local journalist and a woman who claimed to have been raped by SNG forces each to one year in prison, after they were found guilty of "insulting a Government body, inducing false evidence, simulating a criminal offense and making a false accusation".
- 10 February 2013, Gebiley District, Waqooyi Galbeed: The Somaliland police arrested a reporter working for Waheen newspaper in Wajale town after he reportedly covered a story about Ethiopian forces shooting and injuring two Somaliland policemen.
- 21 February 2013, Borama District, Awdal: The Somaliland police reportedly closed Rayo TV in response to the broadcasting of information about a demonstration against Somaliland authorities that had taken place the previous day.
- 24 February 2013, Berbera District, Waqooyi Galbeed: Police arrested a reporter working for Waheen newspaper on the instructions of the manager of Berbera port. The reason for his arrest was unknown.

March 2013

- 1 March 2013, Caynabo District, Sool: Police arrested a local journalist, Mohamed Aden Dirir, over claims he smuggled a camera into a prison cell to interview a prisoner in remand awaiting rape charges, contrary to an earlier agreement with the police. The local journalists association condemned the arrest and the man was released from custody on 10 March.
- 2 March 2013, Cadaado District, Galgadud: The President of Himan and Heeb, Abdulahi Adan Tiicey, officially ordered the suspension of Al-Ihsan local FM radio. The radio operates from Cadaado, and was accused by the President of propagating Al-Shabaab ideology. Unconfirmed reports indicated that the radio broadcasted programs produced by the Al-Shabaab FM radio Al-Furqan in Mogadishu.

- 2 March 2013, Baidoa District, Bay: An unidentified individual threw a hand grenade into the premises of Radio Baidoa, located in the Bardale neighbourhoo. No one was injured and the radio continued broadcasting its program. The motive remained unclear but local sources indicated that the owner of the radio had received death threats from Al-Shabaab because of his anti-Al-Shabaab broadcasts. The threats had been reported to the authorities in Baidoa.
- 3 March 2013, Mogadishu: The Somali court of appeals upheld by a three out of three vote a lower court's conviction of journalist Abdiaziz Abdinur Ibrahim, but reduced his sentence from one year to six months. The same court acquitted a woman who had reported being raped by five Government soldiers in August 2012 and sentenced to one year in prison.
- 17 March 2013, Mogadishu: The SNG Supreme Court overturned the conviction of Abdiaziz Abdinur Ibrahim. Chief Justice Aydid Abdullahi Ilkohanaf said there was not enough evidence to support an appeals court ruling that reporter Abdiaziz Abdinur Ibrahim showed disrespect to national institutions.
- 18 March 2013, Ceerigaabo District, Sanag: The Puntland Governor for Badhan, Mohamed Salah Ciyoon, ordered the arrest of a reporter of Somali Channel TV, Abdinasir Khalid Saeed. Unconfirmed reports indicated that the reporter was accused of supporting Somaliland against the Puntland administration. The journalist was quickly released and returned to Ceerigaabo.
- 22 March 2013, Owdweyne District, Togdheer: Somaliland police in Odweyne arrested the local reporter for Somali Channel TV. The motive for the arrest remained unknown. Police later released the journalist.
- 24 March 2013, Yaaqshiid District, Mogadishu: Unidentified men armed with pistols shot and killed in the Towfiiq neighbourhood a female journalist working as a correspondent for Radio Cabuud Waaq. The motive was unknown. The perpetrators managed to escape.
- 28 March 2013, Borama District, Awdal: Somaliland police arrested a reporter working for SomaliSat Channel in his house. The arrest followed a report the journalist aired about tensions among the Borama city council and a motion submitted by a group of councillors to dismiss the Mayor.

April 2013

- 3 April 2013, Bossaso District, Bari: The Puntland Ministry of Information issued a circular suspending the transmission of three radio stations. The circular ordered Radio Daljir, Voice of Peace and Radio 1Nation to immediately stop transmitting broadcasts. The station managers reportedly said that the Ministry claimed the three stations had violated Puntland's media law. On 5 April, the radios were permitted to resume broadcasting.
- 8 April 2013, Berbera District, Waqooyi Galbeed: Somaliland police arrested Yasin Jam'a, a reporter for the London-based Somali satellite TV channel, Universal, who also writes for a Somali online news outlet hadhwanaagnews. The police gave no reason for the arrest, but there was speculation that it may have been linked to the reporter's coverage of recent protests against energy companies prospecting for oil and gas in the region.
- 13 April 2013, Hargeysa District, Waqooyi Galbeed: The Maroodi Jeeh Regional Court sentenced a local journalist, Jamac Jiir, for defamation of the Somaliland Government. The journalist was sentenced to six months imprisonment and a fine of 600,000 Somaliland shillings.

Annex 8.2: Gender-based violence

1. Given the lack of current, comprehensive and reliable data, human rights and aid organisations continue to struggle to understand the full extent of gender-based violence (GBV) in Somalia and to respond appropriately to the needs of those affected. The organisations that attempt systematic collection and analysis of GBV data face a variety of challenges, including lack of access caused by insecurity, as well as cultural stigma related to sexual violence, and, in some cases, intimidation by local communities and authorities. Rashida Manjoo, the current Special Rapporteur on Violence Against Women, encountered this challenge during her mission to Somalia, and stated that there is a "lack of systematic data collection relating to violence against women", and that "she was unable to obtain any statistical data from the authorities."[1]

2. Nevertheless, the United Nations and its partners recorded within their limited means, between January 2012 and November 2012, 1700 reported incidents of rape, confirming that GBV remains a major problem in Somalia. This number is widely believed to be an underestimate, yet still constitutes an increase in reported cases of rape and sexual violence against women and children as compared to previous years. A third of the reported cases involved children. Consistent with previously identified patterns, the majority of victims continue to be IDPs, rendered particularly vulnerable by their displacement and the consequent weakening of social and clan structures and protection.

3. Due to significant military activities in the past year, there was a spike in sexual violence cases recorded between April and July 2012. Indeed, according to the UN, there were 125 cases of rape recorded in April, 118 in May, 79 in June and 144 in July, which correspond to SNSF, AMISOM and allied militias' operations against Al-Shabaab in the Afgooye and Bala'd corridor near Mogadishu.[2] Indeed, UN agencies and NGOs monitoring protection of civilians-related issues report a significant number of anecdotal accounts of rape by Government forces and affiliated militias during that period.[3] While the Somali Government often took swift action following the report of such incidents, deploying mobile martial courts to the field to try alleged perpetrators (and even executing four of them), human rights organisations maintain that violations continued throughout the course of military operations.[4] Similar accounts of rape by Government-affiliated forces – namely the Ras Kamboni brigades – emerged when Kismayo fell in October 2012, a result of poor discipline and lack of centralized command and control structures over belligerent forces. [5]

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[1] UN Human Rights Council, Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences: Addendum (Mission to Somalia), Rashida Manjoo, 14 May 2012,A/HRC/20/16/Add.3, paragraph 58 (Hereafter: Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences).

[2] UN Security Council, Report of the Secretary-General on Sexual Violence in Armed Conflict, 14 March 2013, S/2013/149, paragraph 61 (Hereafter: Report of the Secretary-General on Sexual Violence in Armed Conflict).

[3] Interviews with UN officials, Nairobi, September-October 2012.

[4] Interviews with human rights activists, Nairobi, October 2012.

[5] Interview with human rights activists, Nairobi, November 2012.

The particular vulnerability of internally displaced women

5. Human rights and aid organisations continue to stress the particular vulnerability of IDP women, by far the largest group of GBV victims in Somalia. While the number of IDP women and girls raped was consistently high throughout the past twelve months, there was a notable spike in the month of August 2012, with 141 cases of rape reported. Analysts believe this spike was linked to the Somali Presidential elections. Indeed, in the run-up to the elections, political leaders used IDPs to mobilise political support and to gain votes, and TFG-affiliated militias operated in IDP camps to control demonstrations. [6]

6. In and around Mogadishu alone, there are currently 530 IDP camps, populated 75% by women and children, and where police and different armed groups, including local militias, often live amongst the population.[7] Women rights organisations and IDP women informed the Monitoring Group that this situation was untenable, and emphasized that the consequence of such proximity was violence perpetrated against women and girls by militias and armed groups.[8] Indeed, according to surveys and focus group discussions conducted by several UN agencies and partners, Mogadishu is the district associated with the greatest perceived threat from non-Governmental armed forces, and most victims of sexual assault describe the perpetrators as "men in uniform", often armed with AK-47s or automatic rifles.[9]

7. There are multiple root causes of such violence. The wide availability of various weaponry is one factor, while armed conflict, a Somali reality for more than two decades, is another one. The lack of command and control exerted by central authorities over armed groups and militias, ultimately, remains the most important cause of violence against IDP women. The scenarios previously documented by the Monitoring Group continue to be the norm in Mogadishu, where victims of sexual assault cannot identify the uniforms worn by their attackers, and do not know whether they belong to the Somali police, the army, or a militia.[10] Furthermore, due to inadequate or irregularly paid salaries, members of the Somali security forces often work as private security providers at night, adding to the number of armed men in the streets.

8. IDP women are also particularly at risk of violence as a consequence of the unconventional nature of IDP settlements in Mogadishu and elsewhere in Somalia. The consequences of fragmented security forces are compounded by the disorganisation of IDP camps in Mogadishu, the control exerted by gatekeepers over displaced populations,[11](see also annex 7.2) and the lack of enforcement of internationally recognised standards in IDP camps.[12] As surveys of IDP women confirm, the insecure environments of IDP camps and insufficient

[6] See Report of the Secretary-General on Sexual Violence in Armed Conflict, paragraph 61.
[7] Interview with UN senior official, Nairobi, March 2013.
[8] Interview with women's groups and IDP women, Mogadishu, 14-15 October 2012.
[9] Interviews with UN and NGOs, Nairobi, January- March 2013.
[10] See S/2012/544, annex 7.2.
[11] See Human Rights Watch, "Hostages of the Gatekeepers: Abuses against Internally Displaced in Mogadishu", Somalia, March 2013.
[12] Interview with UN senior official, Mogadishu, January 2013.

social protection put women at risk. IDP settlements are insecure due to their physical location on the outskirts of towns: the structurally flimsy housing constructed from wood, cardboard and cloth, and often lacking doors; insufficient lighting; intolerable heat in the warm months causing people to sleep outside; the necessity for girls and women to walk significant distances to collect fuel, access latrines, attend school, go to work or utilize medical services; and in some instances, the simple absence of separate toilet facilities for females and males.[13]

9. Somali refugee women and girls fleeing to neighbouring countries are also targets of sexual violence when they pass through areas controlled by insurgent militias in their efforts to reach the border or a safer area in Somalia.[14] Furthermore, reports from IDP and refugee populations originating from Al-Shabaab areas indicate a significant prevalence of forced marriage amongst women and young girls, as well as marital rape and unwanted pregnancies. Reports also indicate that sexual violence takes place in refugee camps outside Somalia, where overcrowding and inadequate shelters have contributed to difficult living conditions and a higher overall risk of sexual violence.[15]

The Somali Government's response to gender-based violence

10. The Somalia Penal Code criminalizes rape but considers it a crime against morals, not against the person and, therefore, cannot adequately address this form of violence against women.[16] According to the Special Rapporteur on Violence Against Women, "acts and practices of violence against women remain unregulated under national legislation and policies" in the Somali Republic.[17] Tackling shortcomings in national laws and policies to guide action will be essential if the Government is going to deliver effective protection to women.

11. Somalia, however, is nevertheless bound by international obligations which protect women from rape and sexual abuse through various instruments. Indeed, while the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) has yet to be ratified by the Somalia,[18] it recognized that Somali girls and women have the right to live their lives free of violence when it formally accepted the International Covenant on Civil and Political Rights,[19] the International Covenant on Economic, Social and Cultural Rights[20] and

[13] UN and partners reports derived from focus group discussions.
[14] See Report of the Secretary-General on Sexual Violence in Armed Conflict, paragraph 63.
[15] Interviews with NGOs, Nairobi, September 2012-March 2013.
[16] Somalia Penal Code, adopted 16 December 1962, article 398.1: " Whoever with violence or threats has carnal intercourse with a person of the other sex, shall be punished with imprisonment for five to fifteen years".
[17] Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, paragraph 55.
[18] As part of the United Nations Universal Periodic Review, the Somalia Republic accepted recommendations made by other States pertaining to violence against women, including ratifying CEDAW and the Convention on the Rights of the Child (http://www.upr-info.org/database/).
[19] The ICCPR prohibits torture and other cruel, inhuman, or degrading treatment (article 7) and protects women's right to be free from discrimination based on sex (articles 2(1) and 26). Ratified by Somalia in 1990.

the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[21] In addition, Somalia acknowledged the right to life without violence when it signed the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.[22] Thereby, Somalia committed to combating all forms of discrimination against women, including violence against women (article 4), and to adopting the appropriate legislative and institutional measures (article 2).

12. Furthermore, the equality of rights of Somali citizens, of girls and boys and of women and men, are recognized in the 2004 Transitional Federal Charter of the Somali Republic,[23] the 2001 Constitution of the Republic of Somaliland,[24] and the 2008 Constitution of the Puntland State of Somalia.[25] The new Provisional Constitution of Somalia, adopted in August 2012, clearly enshrines into law the right of all individuals to personal security, and prohibits all forms of violence against women.[26] Finally, specific protections, embedded in the UN Guiding Principles on Internal Displacement[27] and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, apply to IDP women.[28]

13. In March 2012, the TFG committed to the creation of a task force on GBV to address the endemic problem of rape in the capital. The task force never met. President Hassan Sheikh Mohamud pledged to address the issue of sexual violence when he was elected.[29] On 5 February 2013, Prime Minister Abdi Farah Shirdon launched an Independent Task Force on Human Rights to tackle what he termed "culture of impunity" with regards to human rights abuses in Somalia. The Prime Minister announced the new Task Force would specifically investigate allegations of widespread rape and sexual abuse, especially of women in IDP camps. Consisting of 13 members, including 4 women, the task force was due to issue its first report in May 2013.[30]

[20] Ratified by Somalia in 1990. Available at http://www2.ohchr.org/english/law/ceser.htm.
[21] Ratified by Somalia in 1990. Available at http://www2.ohchr.org/english/law/cat.htm.
[22] Ratified by Somalia in 1985. Available at http://www.unhcr.org/refworld/docid/3f4b139d4.html.
[23] Article 15 of the Transitional Federal Charter of the Somali Republic addresses gender equality wherein there is "full and equal enjoyment of all rights and freedoms".
[24] Particular reference to the "rights of women" is made in articles 8, 24 and 36 of the Constitution of the Republic of Somaliland.
[25] Article 35 of the Constitution of the Puntland State of Somalia concerns the "rights of women", noting the equality of women and men.
[26] Provisional Constitution of the Federal Republic of Somalia, adopted 1 August 2012, article 15.
[27] UN Economic and Social Council (ECOSOC), Guiding Principles on Internal Displacement (UN Guiding Principles", E/CN.4/1998/53/Add.2 (1998), 22 July 1998.
[28] African Union, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), 22 October 2009.
[29] See Strategic Initiative for Women in the Horn of Africa (SIHA network), Briefing on Sexual Violence in Somalia, 5 February 2013, available at: http://www.sihanet.org/index.php/news-and-events/91-briefing-justice-a-sexual-violence-in-somalia..
[30] See: Prime Minister Media Office, " Somali Prime Minister launched human rights task force and attacks culture of impunity", 5 February 2013, available at: http://horseedmedia.net/2013/02/05/somalia-somali-pm-launches-human-rights-task-force-and-attacks-culture-of-impunity/.

Problems with the police

14. Women's groups and human rights organisations believe that the vast majority of GBV incidents against women are not reported,[31] a fact that has been confirmed by the Monitoring Group in its interviews with survivors of rape in Mogadishu.[32] Mistrust of the police and reluctance to report cases of rape or other forms of sexual assault was also confirmed by a large percentage of women who participated in focus group discussions held by the UN and its partners.[33]

15. Lack of trust in the police is caused by several factors. Many women report fearing the police in general, but they are also concerned about being ignored, intimidated, and sometimes even harassed when approaching a local station.[34] Cultural taboos concerning rape, as well as the impact on the victim's family further weakens reliance on the police, which is compounded by the fact that women do not want to report incidents of sexual violence to men. As a result, women turn to traditional forms of justice, seeking the assistance of their clan and elders, and tend to call on the police only when all other options have been exhausted. Moreover, most women interviewed by the Monitoring Group believe the police to be inefficient, corrupt, and unable and unwilling to respond adequately to allegations of sexual violence.[35]

16. The fears of GBV victims are rooted in the basic reality that the police are sometimes part of the problem, unwilling to investigate cases of assault or committing violations themselves. In practical terms, the Somali police face serious challenges in collecting evidence, lack the resources to seriously investigate, and are unable to protect victims and witnesses. The scarcity of female officers, or even men trained in handling incidents of sexual violence, undermines the ability of the Somali police to foster a sense of confidence in its commitment to treat GBV as a priority.[36]

17. The need for police reform and in particular for increasing the responsiveness of the police in sexual violence cases is widely recognized by Somali Government officials and activists, and by the international community. In 2011, in an effort to make the police more "women friendly", the UN Development Programme (UNDP) established Women and Children desks at two police stations in Hargeisa, Somaliland. This initiative was not as successful as hoped since the former chief of police failed to support it. Still, the experience can help shape a model for the rest of Somalia, creating a sympathetic space for women to approach police stations with less fear and more confidence.[37]

18. UNDP's Governance and Rule of Law Programme has attempted to support a larger, better trained and more organized police force. In South-Central Somalia, UNDP pays stipends to 5300

[31] Interviews with local and international NGOs, Nairobi and Mogadishu, September 2012-March 2013.
[32] Interviews with survivors of GBV, Mogadishu, January 2013.
[33] Interviews with UN agencies, Nairobi, September-December 2012.
[34] Interviews with survivors of GBV, Mogadishu, January 2013.
[35] Ibid.
[36] Interviews with local and international NGOs, September 2012-March 2013.
[37] Interviews with UN officials, Nairobi, September-October 2012.

police officers that are not paid salaries from Government sources. Trained and certified, and vetted to the extent possible, these police officers remain unable to provide security to IDP camps, and frequently they continue to be part of the problem, abusing power, seeking bribes and using violence against civilians, including women and children.[38] The command and control structures of the police in South Central Somalia are extraordinarily weak as a result of years of neglect, and the lack of strong, systematic oversight makes it difficult to appreciate the extent of the problem and the range of shortcomings to be addressed. As part of the UN-wide Human Rights and Due Diligence Policy adopted in July 2011, the UN has an obligation to monitor its partners for potential human rights violations. This could be facilitated through the establishment of a Somali-owned, UN-mentored directorate-general for policing. In addition, a dedicated effort is needed to actively recruit, train and equip more women for the police force, as was endorsed by Somaliland in its five-year police strategic plan.[39]

Access to justice

19. Comparable to their mistrust in the police, women are reluctant to redress their grievances through the formal justice system. For its part, the Somali justice system is reluctant to prosecute cases of GBV. Between January and November 2012, the Military Court opened only 13 cases against members of the Somali security forces, including two against members of the National Security Authority, one against a member of the Somali National Police, three against militia members and the remaining against members of the Somali National Army. Nine of the cases are pending, three have resulted in the acquittal of the defendants, and one ended in the imposition of the death penalty. Prosecution through the regular criminal justice system is also limited. Official police and court data are not available. However, data informally shared with the Monitoring Group indicates that about 100 cases of rape were opened in Mogadishu between January and November 2012.[40]

20. Surveys and focus group discussions with women explain their general mistrust of the justice system. They fear further abuse and corruption, and the direct and indirect financial costs of pursuing a case in the formal courts can be prohibitive for many girls and women. In addition, prosecutions encounter difficulties in proving cases of sexual violence due to evidence tampering and withdrawal of witnesses, judicial and prosecuting officials lack capacity, convictions are often not enforced, victims are not adequately protected, and the shame and stigma associated with incidents of sexual violence becoming public damage personal and family reputations.[41]

21. While there are limitations throughout the country, the capacities of justice ministries vary greatly across Somali regions. In Somaliland, for instance, there are multiple initiatives to strengthen the justice system, including the 2012-2016 Somaliland National Development Plan, the Somaliland Ministry of Justice Judicial Reform Work Plan, the Somaliland Law Reform Commission, the Somaliland National Human Rights Commission and the Good Governance and Anti-Corruption

[38] Ibid.
[39] Somaliland National Development Plan 2012-2016, available at http://www.longlivesomaliland.com/Draft%20Somaliland%20National%20Development%20Plan.pdf.
[40] Reports on GBV by UN agencies, Nairobi, January 2013.
[41] Ibid.

Commission. In addition to general reform efforts, such as revising laws and procedures, providing more infrastructure, concluding cases more quickly, and strengthening the capacity of the judiciary, "the justice sector reform program aims at promoting women's legal education, entry into the legal profession, and women's equal access to justice".[42] Steps have also been taken towards the creation of a legal aid unit for the provision of legal counsel to those in need.[43]

22. Furthermore, UNDP established in Somaliland the Sexual Assault Referral Centre, Baahi-Koob, on the premises of the Hargeisa Hospital Group. As a place of safety, Baahi-Koob operates as a holistic service provider for survivors of sexual assault, who can receive medical treatment, psychosocial counselling, legal aid and helpful information. Meanwhile, Baahi-Koob staff members are able to assist in criminal investigations and prosecutions. With limited resources, the centre is a groundbreaking and welcome initiative in Somalia. However, it faces many difficulties with authorities that refuse to fully recognize incidents of GBV, and local clan and community elders who invariably intervene in cases before the courts.[44]

23. Conditions in Puntland are considerably worse. Authorities show little willingness to invest in the justice sector. Lawyers continue to have limited or no access to clients in police custody. The judiciary lacks independence as members are selected based on clan affiliations and can be dismissed arbitrarily by the President. Resources are severely limited. There are only a dozen prosecutors for the entire region and none of the judges have a legal background, though they receive six-months training by UNDP. None of the prosecutors or judges are women. The only practicing female lawyer was forced to resign under Islamist activists pressure. Finally, there have seen a significant number of attacks against judges and prosecutors in the past couple of years, resulting in eight deaths.[45]

24. In South Central Somalia, in places like Baidoa, courts have begun operating again. Mogadishu continues to have the only semi-functioning judicial system. Regardless of support from the Government and the international community, courts remain weak and the majority of the members of the judiciary are not paid regularly, if at all. Aside from the main Benadir Court, which was bombed in April 2013, district courts are not functioning well, and access and costs remain a problem for the vast majority of women.[46] UNDP has started implementing a mobile courts programme in IDP camps to facilitate access to justice for IDP women, and it is working with legal aid partners to secure legal representation for those who cannot afford it.[47] Despite these efforts, women continue reporting a lack of trust in the formal justice system.

[42] Somaliland National Development Plan 2012-2016, p. 171.
[43] Interview with UN official, Nairobi, September 2012.
[44] Ibid.
[45] Ibid.
[46] Interviews with women's groups, Mogadishu, October 2012.
[47] Interview with UN official, Nairobi, October 2012.

The authorities' mishandling of a case of alleged rape

25. Women's mistrust in the police and the justice system is reinforced by the authorities' mishandling of the widely publicised case of alleged rape of an IDP woman. On 6 January 2013, Universal TV, a Somali television station, reported that armed men in police uniforms had raped a young woman. The same day, Al Jazeera published an article describing rape by security forces in Mogadishu IDP camps.[48] As a direct consequence of the reporting, on 10 January 2013, the Criminal Investigation Division (CID) of the Somali Police Force in Mogadishu arrested a woman who alleged having been raped by Government forces on 14 August 2012 in the Hodan district of Mogadishu. They also detained two acquaintances of the woman who had connected her with journalists.[49]

26. During interrogations, CID Director, General Abdullahi Hassan Barisse, reportedly compelled the woman to provide the telephone numbers of journalists who had interviewed her. On 10 January 2013, Abdiaziz Abdinur Ibrahim, a freelance journalist who had worked with Dalsan Radio and Badri Media Productions, was called to the police station for questioning and then detained.[50]

27. Following two days of interrogation, the police released the woman claiming she had retracted the allegation of rape. However, on 12 January 2013, they arbitrarily detained her husband who persisted that his wife had been raped. Two other individuals, a woman and a man who had helped introduce the journalists, were also detained for more than two weeks. On 29 January 2013, after 19 days detention without charge, and denial of access to a lawyer, a doctor and medicine, the Attorney General charged the journalist Abdiaziz Abdinur Ibrahim with insulting a Government body and inducing the woman to give false evidence. Under the Somali Penal Code he faced up to four years in prison for the first charge and two years for the second. The alleged rape victim was also charged with insulting a Government body, in addition to simulating a criminal offense and making a false accusation, which carry punishments of up to three and six years in prison, respectively.[51]

28. The alleged rape victim's husband and the two individuals who helped introduce the woman to the journalist were charged with assisting her to evade investigation, which carries up to a four-year prison term, and assisting her to secure profit for the rape allegation, carrying up to a five-year prison term. The charge sheet indicates that the Government believed there was a conspiracy to discredit it for financial gain.[52]

29. On 5 February 2013, Abdiaziz Abdinur Ibrahim, was sentenced to one year in prison for fabricating a false claim — though he did not publish the allegation, entering the home of

[48] Laila Ali, "Displaced Women Still Vulnerable in Somalia", 6 January 2013, available at: http://www.aljazeera.com/indepth/features/2013/01/2013151422164487 35.html.
[49] Interview with Somali Human Rights NGOs, Mogadishu, 24 January 2013.
[50] Ibid.
[51] Interview with Somali Human Rights NGOs, Mogadishu, 7 February 2013.
[52] See: Human Rights Watch, Somalia: Alleged Rape Victim Convicted, 29 January 2013, available at http://www.hrw.org/news/2013/01/29/somalia-alleged-rape-victim-charged.

another man without permission, and falsely accusing a Government body of committing a crime that damages state security. The woman was also sentenced to one year in prison for fabricating a rape case that damages state security. The court deferred her sentence for one year because she was breastfeeding. The court ordered the release of the woman's husband and the two others for lack of evidence.[53]

30. Human rights organisations denouncing a botched trial argued that "the prosecutor failed to provide any evidence to justify a conviction on the criminal charges. The prosecutors called three witnesses, two of whom asserted they had assisted the woman after she was raped, and a nurse who had not examined the woman. A midwife testified on the first day of the trial, February 2nd, that she concluded that the woman was not raped after conducting a 'finger test,' an unscientific and degrading practice that has long been discredited because it is not a credible test of whether a woman has been raped". [54]

31. On 3 March 2013, the court of appeals upheld a lower court's conviction of journalist Abdiaziz Abdinur Ibrahim, but reduced his sentence from one year to six months. The alleged rape victim was found not guilty of her charges, including insulting the Government. Finally, on 17 March 2013, the Supreme Court of Somalia overturned the conviction of journalist Abdiaziz Abdinur Ibrahim and ordered his immediate release.

32. During the course of these events, on 11 February 2013, the Monitoring Group sent an official correspondence to the Somali Prime Minister, Abdi Farah Shirdon, in an attempt to obtain additional information about the case. No reply was forthcoming.

33. This case overtly illustrates the grave shortcomings of Somali rule of law institutions in responding to cases of sexual violence, both in terms of the failure of the police to investigate the rape allegation itself and then the treatment of the alleged victim, her husband and the other individuals targeted by the authorities, including the apparent violation of their presumption of innocence. Indeed, on 26 January 2013, the Attorney General told the BBC Somali Service that the journalist and the other individuals were complicit in an effort to tarnish the reputation of the security forces.[55] On 16 January 2013, the Commissioner of the Somali Police Force, Major General Sharif Shekhuna Maye, held a news conference in Mogadishu, at which he 'showcased' the alleged victim, and claimed that Abdiaziz Abdinur Ibrahim was part of a plot to tarnish the image of the national forces.[56]

34. Consequently, the case has had a significant impact on the willingness of women to report cases of sexual abuse by Government forces and negatively affected the limited provision of services to victims in Mogadishu.[57] Overall, the case has served to undermine the

[53] See Human Rights Watch, Somalia: Women alleging Rape, Journalist Convicted, 5 February 2013, available at http://www.hrw.org/news/2013/02/05/somalia-woman-alleging-rape-journalist-convicted.

[54] Ibid.

[55] See http://www.bbc.co.uk/news/world-africa-21259395.

[56] Interviews with human rights organisations, Mogadishu, February 2013.

[57] Interviews with women's groups, Mogadishu, March 2013.

President's commitment to tackling sexual violence and risks discouraging media reporting on this important issue.

Sexual exploitation and abuse by AMISOM forces

35. Allegations of sexual exploitation and abuse (SEA) by AMISOM troops first surfaced in 2011, when the UN country team was informed by Somali human rights groups of prostitution on AMISOM bases and marriage of minors to AMISOM troops. The UN raised the issue with the AMISOM command, which took some measures to address the problem, including additional training of troops.[58] Nevertheless, at present three trends of allegations continue to emerge. First, women's groups denounce the presence of female translators waiting for employment on the AMISOM base, where they are vulnerable to exploitation. Second, there are reports of sexual exploitation around the AMISOM-run hospital on its Mogadishu base, where women are asked for sex in exchange for access. Third, women's groups recount testimonies of women brought onto the AMISOM base in Mogadishu by the shopkeepers located there for the purpose of prostitution, as well as of food being provided for sex at AMISOM outposts elsewhere in the country.[59]

36. The Monitoring Group was able to speak to women who described specific incidents of prostitution and other forms of sexual exploitation by members of AMISOM, as well as intimidation by AMISOM troops to keep them silent. Women's groups reported being scared of "taking on" the issue, having previously suffered consequences for raising it with the AMISOM command in Mogadishu, including being banned from the AMISOM base.[60] Meanwhile, AMISOM still lacks appropriate mechanisms to address allegations of SEA by systematically collecting and investigating them in a methodical and transparent way.

37. The Monitoring Group raised the issue of SEA with the AMISOM command in Mogadishu. Although it has taken some positive steps, such as the appointment of a gender officer in October 2012 and the provision of workshops on SEA to its troops, AMISOM's response to the allegations remains ad hoc at best, while the posture of its command is defensive rather than proactive. According to AMISOM civil-military officers, there is no need of a dedicated means for women to lodge complaints since "victims of SEA would come to us because we are very friendly".[61] According to the Force Commander, Lieutenant General Andrew Gutti, AMISOM "never had a verified incident of sexual exploitation".[62]

38. AMISOM claims that measures are in place to investigate allegations of wrongdoing by its troops. Political officers gather intelligence on the ground regarding interactions between the population and AMISOM troops. When allegations are made and substantiated with some evidence, a board of inquiry is assembled to investigate. However, boards of inquiry are

[58] Interviews with UN and AMISOM officials, Nairobi and Mogadishu, October 2012-January 2013.
[59] Interviews with UN officials and Somali women's groups, Nairobi and Mogadishu, October 2012-January 2013.
[60] Interviews with women's rights groups, Mogadishu, 15 October 2012.
[61] Interview with AMISOM civil-military officer, Mogadishu, 15 October 2012.
[62] Interview with AMISOM Force Commander, Mogadishu, 16 October 2012.

assembled on an ad hoc basis and composed of AMISOM officers who lack investigative experience and independence. Moreover, in the past twelve months, only two boards of inquiry have been convened, and their reports are not public or shared systematically with UN human rights monitors.[63] Despite repeated requests, the Monitoring Group did not receive copies of the reports. Furthermore, the Force Commander and his legal adviser were unable to answer questions related to the composition of the boards of inquiry and the cases they addressed, or the measures that were taken following the findings of the boards.

39. AMISOM has yet to implement the UN Policy on Prevention of Sexual Exploitation and Abuse, aside from inclusion of a section on SEA in pre-deployment training. The Policy requirements include prevention, public information, establishment of a reporting system, establishment of accountability mechanisms and support to victims. The UN itself and in particular the UN Support Office for AMISOM (UNSOA) has an obligation to ensure that all measures are taken by AMISOM to prevent SEA and respond to allegations, in accordance with the UN-wide Human Rights and Due Diligence Policy.

40. Security Council resolution 2093 (2013), which extended the mandate of AMISOM through 2014, requested AMISOM in paragraph 14 to apply policies consistent with the UN zero-tolerance policy on sexual exploitation and abuse in the context of peacekeeping. To date, AMISOM has not taken the necessary steps to comply with this provision.

[63] Interview with AMISOM Force Commander, Mogadishu,24 January 2013.

Annex 9

Violations of the ban on charcoal

Annex 9.1: Overview

1. Following the advance of the Kenya Defence Forces (KDF) contingent of the African Union Mission in Somalia (AMISOM) through southern Somalia and its final entry into Kismayo on 28 September 2012 with the Ras Kamboni forces of Sheikh Ahmed Mohamed Islam 'Madobe', a number of charcoal stockpiles of considerable scale were discovered and gained much attention. The stockpile in Kismayo was estimated to consist of some four million sacks of charcoal with a market value of at least 60-64 million USD. Comparable stockpiles were found to exist in Burgabo, Kuday, Anole and Al-Shabaab-controlled Barawe. The size of these stockpiles was, however, fluid, since there was continuous ground transportation of charcoal, for instance, into and between Kismayo and Barawe.

2. Throughout October 2012, there was rising tension and debate in diplomatic circles about the status of the stockpiles given the ban on the export of charcoal pursuant to Security Council resolution 2036 (2012), which prohibited the export and direct or indirect import of charcoal from Somalia, and considered the engagement in such commerce as a threat to the peace, security, or stability of Somalia. In addition, successive Somali Governments had outlawed the trade in charcoal domestically.[1] Nevertheless, KDF commanders almost immediately began to push for the export of the stockpiled charcoal on security grounds, arguing that their mission was threatened by the demands of charcoal traders. The argument that a group of charcoal traders constituted a greater threat to the KDF than Al-Shabaab that had just been routed in Kismayo, was difficult to appreciate. Instead, it was far more likely that exporting charcoal would exacerbate clan tensions and resource interests, leading to much broader conditions of conflict. And this is preciselywhat subsequently occurred (see annex 3.3).

3. Members of the Juba Business Committee in Kismayo that had been trading charcoal throughout the period of Al-Shabaab's presence in the city, called for a temporary lifting of the ban. On 22 October 2012, this committee issued a petition requesting seven months to clear the stockpile (see annex 9.1.a). In support, the KDF, through AMISOM and the Commission of the African Union, appealed to the Security Council to temporarily lift the ban.[2] On 1 November 2012, in a letter addressed to the Chairman of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (hereafter "the Committee"), the Permanent Representative of Kenya to the United Nations, His Excellency, Mr. Macharia Kamau, requested a special waiver for the "export of charcoal for a determinable period".[3] However, in its resolutions 2072 (2012) and 2073 (2012), the Security Council did not lift the complete ban on the exportation and importation of charcoal.

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[1] See for instance: http://allafrica.com/stories/201304180118.html.

[2] See http://www.peaceau.org/en/article/the-african-union-calls-on-the-un-security-council-to-strengthen-its-support-to-the-au-mission-in-somalia, and http://www.the-star.co.ke/news/article-93305/somalia-au-differ-over-al-shabaab-charcoal.

[3] Correspondence reference S/AC.29/2012/COMM.107.

4. One effect of calling for a temporary lifting of the ban was to shift focus onto the stockpiles as if it was the key issue. In diplomatic circles, options were considered, including a one-time export of the stockpiles, an internal sale and wholesale destruction. However, the pressure and focus on the export of the charcoal prevented an alternative solution from being seriously considered. For its part, the assessment of the Monitoring Group at the time was that a temporary lifting of the ban was neither proposed in good faith nor viable. It was a device to maintain the charcoal business indefinitely. Since there was perpetual movement to and from the stockpiles, it would not have been feasible to fix the amount of charcoal to be exported on a one-time basis without a ground assessment and controlled monitoring, which were not available. Consequently, the Monitoring Group believed the stockpiles would have been maintained to ensure a perpetual lift of the ban, while exports continued. The actual issue at stake was not the export of the stockpiles but the production of new charcoal that both sustained the stockpiles and constituted the charcoal exported.

5. Throughout October 2012 and following the entry of KDF/AMISOM into Kismayo, the President of Somalia, Hassan Sheikh Mohamud, had instructed AMISOM to keep the port of Kismayo closed to commercial traffic and not to export any charcoal from the area. He was unaware that the former Prime Minister, Abdiweli Mohamed Ali Gaas, had written to the Committee on 17 October 2012, on the eve of his leaving office, requesting a review of the charcoal ban (see annex 9.1.b). Still AMISOM officials assured diplomats and the Monitoring Group that the President's instructions were being faithfully implemented. However, the port of Kismayo was never closed. By 22 October 2012, one ship (Fadhil Rabi) and two dhows had docked at the port and offloaded cement and sugar. By 25 October 2012, two ships (Fadhil Rabi and Diamond Moon) and five dhows were in Kismayo. As late as 26 October 2012, the AMISOM Deputy Force Commander for Operations and Plans, Major General Simon Karanja, assured the President that the port was closed and there was no shipping traffic, while he knew otherwise.[4] The President reiterated his instructions to AMISOM regarding both the port closure and charcoal exports, and the following day issued his first public statement to this effect (see annex 9.1.c).

6. By the end of October 2012, Madobe and the charcoal traders threatened that if the ban was not lifted by 3 November 2012, they would export charcoal anyway from Al-Shabaab-controlled Barawe and Kismayo if possible. On 2 November 2012, a delegation from Mogadishu, including General Karanja, the acting Somali Defence Minister, Husayn Arab Isa, and Chief of Defence Forces, Major General Abdiqadir Shaykh Ali Dini, arrived in Kismayo and assured the charcoal traders that the ban would be lifted soon.

7. However, as it became clear between the passage of Security Council resolutions 2072 (2012) and 2073 (2012) that the ban would not be lifted, the KDF, Madobe and his Ras Kamboni forces took the unilateral decision to begin the export of charcoal from Kismayo port. Already by 30 October 2012, the Fadhil Rabi and one dhow had been loading charcoal. On 4 November 2012, the Monitoring Group received urgent information that at least three dhows were loading charcoal and expected to depart immanently.[5] In addition, three dhows were loading charcoal off

[4] Telephone conversation with President Hassan Sheikh Mohamud, 26 October 2012.
[5] Information from source in Somalia monitoring developments in Kismayo, 4 November 2012.

Burgabo and at least four ships (Topaz II, Star Island H, Lady Jana, and Loai IV) were anchored offshore at Barawe loading charcoal.[6] Some vessels in Kismayo were preparing to sail to Barawe to load charcoal there, and in Mogadishu there was a backlog of ships waiting to sail to Kismayo.

Charcoal trucks loading vessels at the port of Kismayo on 13 November 2012

8. Meanwhile, on 2 November 2012, the Somali Presidency announced the establishment of a Task Force to address the charcoal stockpile at Kismayo. The objectives of the Task Force were stated to be:

- To determine the source of the charcoal, its ownership, quantity and estimated value, and reasons for such accumulation;
- To propose ways of using the charcoal in the internal market, and ways and means of transporting and distributing the charcoal to different local markets;
- To propose ways of preventing repetition of the current situation; and
- To propose ways of galvanizing the support of the international community in the utilization of the current stockpile, particularly the UN, the African Union, the Intergovernmental Authority on Development (IGAD) and AMISOM.

9. The nine members of the Task Force were drawn from a variety of backgrounds with responsiblity to compile a report within seven days. On the same day, the Somali Presidency urgently requested AMISOM security and logistical support for the work of the team (see annex 9.1.d).

[6] Information from source in Somalia monitoring developments in Kismayo, 4 November 2012 and confirmed by Information from source in Barawe, 12 November 2012, as well as shipping signals data.

10. The visit of the Task Force to Kismayo was delayed, but on 7 November 2012 a delegation consisting of the 9-member Task Force, four AMISOM officials including the Chief of Staff, General Ousman, as well as a group of journalists, arrived at Kismayo airport at 12:30 p.m. The area commander of the KDF, Col. Hassan, met the members of the delegation and informed them that the Somali National Army (SNA) and Ras Kamboni forces were not prepared to meet with them. He added that Madobe said he would not meet with the delegation unless it was under the auspices of IGAD and that the safety and security of the delegation could not be guaranteed if it travelled outside the airport. Both the AMISOM Force Commander, Lieutenant-General Andrew Gutti, and The Somali President were informed of the situation and, after some deliberation, the Task Force returned to Mogadishu, leaving the journalists to remain overnight at the airport.[7] At the time the delegation was in Kismayo, approximately 15 vessels (13 dhows and 2 ships) were docked at the port in the process of loading charcoal and had been loading charcoal at least since the day before, 6 November.[8]

11. Following its failed mission to Kismayo, the President's Task Force remained inactive. This event, however, set a pattern for subsequent Government delegations, which have largely not been permitted to leave Kismayo airport. Indeed, on days when charcoal is loading, visitors to Kismayo are usually not allowed to exit the airport compound. On 11 March 2013, the Monitoring Group, accompanied by a team of UN investigators, was prohibited from leaving Kismayo airport by the Ras Kamboni chief of security in the city, Mahmoud Abdullahi 'Hawil', on grounds of insecurity despite UN security assessments to the contrary. At the time, the Monitoring Group was separately informed that it was actually not permitted to visit the city and the port because 14 vessels were in the process of loading charcoal.[9]

Aerial view of charcoal loading at the port of Kismayo on 11 March 2013

[7] See http://blogs.aljazeera.com/blog/africa/so-close-yet-so-far-kismayo.
[8] Photographic evidence of vessels loading obtained by the Monitoring Group.
[9] Information obtained by the Monitoring Group on the ground in Kismayo. The Monitoring Group was able to observe the port from the air upon departure and confirm this information.

12. On 6 November 2012, in response to initial press reports about the export of charcoal from Kismayo under AMISOM control, AMISOM issued a statement reaffirming its commitment to support the Somali Government's efforts to end the illegal trade in charcoal (see annex 9.1.e).

13. On 12 November 2012, the Monitoring Group visited Kismayo, the charcoal stockpiles in the town and the port. At the port, the Monitoring Group attended a meeting chaired by Madobe that included representatives of the KDF, the Ras Kamboni militia, the local interim administration, the SNA, and a group of charcoal traders from the Juba Business Committee, amongst others. During the meeting, Madobe and the traders vowed to discontinue charcoal trading if they could only export the existing stockpile. Madobe said, "once charcoal is burnt, it can never be a tree again". The Monitoring Group had three critical observations during its visit.

Juba Business Committee charcoal traders, 22 October 2012

14. First, the Monitoring Group was able to observe a considerable amount of new charcoal being packaged into 25 to 30 kg sacks at the location of the stockpiles. It was already clear that the charcoal being exported was new charcoal, and that the stockpile was being maintained (see annex 9.1.f).

15. Second, the Monitoring Group verified that the port is under the joint security control of the KDF and the RKB, and both undertake joint operations at the port. In addition, according to charcoal traders and shippers, the Kenyan Navy has oversight at the port and a KDF officer, Major Maingi, was the focal point for authorizing the offloading and loading of vessels.[10] (See annex 9.1.g.)

[10] Interview with Captain Abdulah of the MV Diamond Moon, 18 November 2012; and principal Dubai charcoal trader, 20 November 2012.

16. Third, the Monitoring Group observed 10 vessels docked at the port in the final stages of off-loading mostly sugar and cement. The port jetty had been cleared of charcoal and sanitized, and vessels partially loaded with charcoal were ordered out of the port in preparation for the Monitoring Group visit. Following the departure of the Monitoring Group, additional vessels docked at the port, and the following day, 13 November 2012, there was large-scale loading of charcoal on the docked vessels.[11]

Ships loading at Port of Kismayo on 13 November 2012

17. During the month of November 2012, the Monitoring Group was able to confirm that at least 20 vessels had exported well over 700,000 sacks, and in December at least 22 vessels had exported at least 800,000 sacks of charcoal from Kismayo port.[12] The Monitoring Group estimated that these figures constituted about 70-80% of the actual exports and did not account for charcoal transported overland to Barawe. Nevertheless, their export value was considerable. A 25 to 30 kilogram sack of charcoal has a local value of 5 to 6 USD, but an export value of a minimum of 15 to 16 USD, representing at least 10 to 13 million USD per month. In addition, the port manager at Kismayo, a Kenyan Somali charcoal trader of the Ras Kamboni forces, Abdullahi Dubad (a.k.a. 'Hadun'), was taxing the charcoal exports on behalf of KDF-supported Madobe at a rate of 1.20 USD, while Al-Shabaab in Barawe was charging 1.50 USD. In due course, both rates increased to 1.50 USD and 2.00 USD, respectively.[13]

[11] Photographic information provided by sources on the ground in Kismayo (see above photograph).
[12] Confidential shipping cargo data, November and December 2012, as well as photographic evidence throughout both months, and eyewitness testimonies at Kismayo port.
[13] Confidential Kismayo port sources, Dubai charcoal traders, and confidential source in Barawe, October 2012 to May 2013.

18. Despite the export of at least 1.5 million sacks over two months, the stockpile in Kismayo was not declining. Rather, the rate of charcoal being trucked into Kismayo was rising significantly. Indeed, the charcoal being exported was in fact newly produced. This meant that the issue of concern ought never to have been the stockpiles themselves, but the ongoing and increasing scale of new production. This fact was reinforced in January and February 2013, when large scale-production began in Al-Shabaab controlled Badade district, north of the Kenyan border where a forested area was being levelled. The amount of charcoal being trucked to Kismayo was outstripping the export capacity at the port and a new stockpile was established at Fifmodow in Kismayo (see annex 9.1.h.). Corresponding to the increased production of charcoal, the import of sugar gradually increased in late 2012 and considerably increased thereafter for transportation to and across the Kenyan border.[14]

19. Between Badade and Kismayo, charcoal trucks passed through several checkpoints. A first checkpoint at Buulo Xaaji, about midway, is controlled by Al-Shabaab. Ras Kamboni and SNA forces control a second and third checkpoint, and the KDF controls a final checkpoint before the final destination of the port. Apart from small interpersonal disputes, since January 2012 there have not been any significant security incidents on the charcoal transportation route, indicating an accommodation on the ground between interested parties.[15] In addition, members of Al-Shabaab have routinely entered Kismayo by riding on charcoal trucks.

20. Overall, despite the fact that the KDF/AMISOM and Ras Kamboni forces replaced Al-Shabaab's control of Kismayo, the charcoal business architecture remained intact. While the production and trade in charcoal has always existed in Somalia on a smaller scale, during Al-Shabaab's control of Kismayo it became a large-scale international enterprise combining local clan and Al-Shabaab financial interests, as previously documented by the Monitoring Group (S/2011/433 and S/2012/544). The nature of the business enterprise forged by Al-Shabaab continues with Al-Shabaab, its commercial partners and networks still central to the trade. Essentially, with the changeover of power in Kismayo, the shareholding of the charcoal trade at the port was divided into three between Al-Shabaab, Ras Kamboni and Somali Kenyan businessmen cooperating with the KDF.[16] In addition to Al-Shabaab's shareholding at Kismayo represented by individual charcoal traders in the local business community, there is seamless movement of charcoal trucks between Kismayo and Barawe and regular coordination between the two ports, not least because of the personal and commercial relations between charcoal traders, individuals in Ras Kamboni and members of Al-Shabaab.[17]

21. This dramatic increase in scale of the charcoal trade since the time when Al-Shabaab exclusively controlled it, actually benefits Al-Shabaab as it draws considerable revenue from its partial shareholding in the expanded business. In fact, its shareholding in Kismayo charcoal, in combination with its export revenues at Barawe and its taxation of trucks transporting charcoal

[14] Confidential shipping cargo data, November 2012 to April 2013.
[15] Confidential international security sources and Kismayo port authorities, 11 March 2013.
[16] For initial press coverage of KDF involvement in the charcoal business, see: http://www.voanews.com/content/somalia-kismayo-port-control-politics/1669896.html.
[17] Interview with port authorities, Kismayo, 11 March 2013.

from production areas under its control are likely exceeding the revenue it generated when it controlled Kismayo, previously estimated by the Monitoring Group to be 25 million USD per year (see annex 9.2). As such, Al-Shabaab has managed to exploit and profit from the diversification of interests in the charcoal trade (see annex 9.2).

22. Despite these revenues in southern Somalia, there may not be an equitable trickle-down to Al-Shabaab in other areas of Somalia or East Africa. Al-Shabaab cells in other areas have at times relied on diaspora funding, which has decreased in response to recent terrorism cases targeting Al-Shabaab throughout the world. Regional and clan interests can outweigh distribution of revenue to other Al-Shabaab-controlled areas.

Annex 9.1.a: Juba Business Committee petition

FROM: JUBBA BUSINESS COMMUNITY TO: SOMALI FEDERAL GOVERNMENT AFRICAN

KISMAYO, SOMALIA AFRICAN UNION AND UNITED NATIONS

SUBJECT: RELEASE CHARCOAL STOCK IN JUBBA TO TRADE

Date: Monday 22nd October 2012

1. RECAP ON CHARCOAL TRADE IN SOMALIA

From the collapse of the Somali central government in 1991, when all economical infrastructure had collapsed in Somalia, humanitarian aid could not be because of insecurity and constant drought, and famine became prevalent, Somali people started too many ways of looking to life existence including cutting the trees for charcoal trade. The aid failed, the lawlessness of the charcoal trade attracted many Somali business people after big markets in the world ordered the charcoal and the foreign business companies benefited the lawlessness of Somalia enabling Somali business to are prevent which is profitable for them be it be lawful or unlawful.

Somali business people did not have a choice as they were forced to implement the charcoal trade because they see that the charcoal is expensive and instead one way trade of importing foreign product, it is more profitable that Somali business export something like charcoal from Somalia and it two way trade is ours. We did our intend to do illegal trade we saw this as normal unless the ban of charcoal trade is announced.

2. Request from Jubba business committee on release of charcoal stock in Jubba

As the business committee for Jubba region, we are hereby requesting from the African Union United Nations and the Somali Federal Government to release the charcoal stock in Jubba to trade. There is very huge stock of charcoal in some areas in Jubba which is costing large sum of our business capital which we cannot run our business if this stock is not released to trade. We have invested great percentage of our asset and there will be financial loss to most of Jubba business companies. To salvage our property we are kindly requesting you to give a kind glance at our current problem which if you help us we might overcome and that is to give us a deadline of 7 (seven) months maximum to export the whole stock of charcoal from Jubba. Time is very difficult and process of ordering merchant ships which carry the charcoal, transporting the charcoal from areas of storage to the seaports will take quite long time but we pressure our human resources to finish the stock within 7 months.

Every law which needs to be implemented should have some exceptions, like when the international community together with Somali government decide to stop charcoal trade we see the necessity of giving a time between issuing the law and making it effect. There is the need of giving a space of time which is letting us to support the law and also that we do not run

FROM: JUBBA BUSINESS COMMITTEE
KISMAYO, SOMALIA

TO: SOMALI FEDERAL GOVERNMENT, AFRICAN UNION AND UNITED NATIONS

SUBJECT: RELEASE CHARCOAL STOCK IN JUBBA TO TRADE

Date: Monday 22nd October 2012

1. RECAP ON CHARCOAL TRADE IN SOMALIA

From the collapse of the Somali central government in 1991, when all economical infrastructure had collapsed in Somalia, humanitarian aid could not run because of insecurity and constant droughts and famine became prevalent. Somali people started too many ways of looking for life existence including cutting the trees for charcoal trade, miraa (khat), the stimulant drug, business etc. Charcoal trade attracted many Somali business people after big markets in the world ordered the charcoal and the foreign business companies benefiting the lawlessness of Somalia encouraging some business that project which is profitable for them be it be lawful or unlawful.

Some business people did not have a choice as they were funded to implement the charcoal trade because they see that the charcoal is expensive and instead one way trade of importing foreign products, it is more profitable that Somali business export something like charcoal from Somalia and a two way trade is found. We did not intend to do illegal trade we saw this as normal unless the ban of charcoal trade is announced.

2. Request from Jubba business committee on release of charcoal stock in Jubba.

As the business committee for Jubba region, we are hereby requesting from the African Union, United Nations, and the Somali Federal Government to release the charcoal stock in Jubba to trade. There is very huge stock of charcoal in some areas of Jubba which is costing large sum of our business capital which we cannot run our business if this stock is not released to trade. We have invested great percentage of our asset and there will be financial loss to most of Jubba business companies. To salvage our property we are kindly requesting you to give a kind glance at our current problem which if you help us we might over come and that is to give us a deadline of 7 (seven) months maximum to export the whole stock of charcoal from Jubba. Time is very difficult and process of ordering merchant ships which carry the charcoal, transporting the charcoal from areas of storage to the seaports will take quite long time but we pressure our human resources to finish the stock within 7 months.

Every law which needs to be implemented should have some exceptions, like when the international community together with Somali government decide to stop charcoal trade we see the necessity of giving a time between issuing the law and making it effect. There is the need of giving a space of time which is letting us to support the law and also that we do not run

Annex 9.1.b: Letter to the Committee from former Somali Prime Minister Abdiweli Ali Gaas, 17 October 2012

Jamhuuriyadda Soomaaliya
Xukuumadda Federaaliga ee Soomaaliya
Xafiiska Ra'iisul Wasaaraha

جمهورية الصومال الفيدرالية
الحكومة الفيدرالية
مكتب رئيس الوزراء

The Federal Republic of Somalia
Office of the Prime Minister

Ref: XRW/LT/06/Sec/10/12 Date 17th October 2012

Mr. Chairman

SUBJECT: URGENT REVIEW OF THE UN SANCTIONS COMMITTEE BAN OF SHIPPING TRADE TO KISIMAYO PORT

As we [illegible] implementation of the report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council Resolution [illegible] of 17th June 2011 to the Chairman of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea.

As the Port of Kismayo was seized by the extremist Al-Shabaab movement during that time all trade including the Port was banned in an attempt to deny revenue from commodity imports to Al-Shabaab.

Kismayo and most of the Lower Juba regions have now been liberated by Somali Government and AMISOM security forces. But the UN Sanctions Committee ban of shipping trade to Kismayo is still in effect. In addition, the Security Forces controlling Kismayo have also restricted any trade from land to Kismayo for security reasons.

Mr. Chairman, it is estimated that there is an urban population of over 300,000 in Kismayo. The Port is closed, trade from outside Kismayo is restricted by the combination of the UN ban and security constraints and stocks of food and other lifesaving supplies are very low if not all available.

Mr. Chairman, we request the UN Security Sanctions Committee urgently review the ban with a view to allowing commodities and medical supplies to be delivered by the private sector who already have loaded ships in Mogadishu and Mombasa ports and would be ready to move to Kismayo immediately the ban is lifted.

Please Excellency, accept the assurance of my highest consideration.

H.E. Dr Abdiweli Mohamed Ali
Prime Minister
Federal Republic of Somalia

To H.E. Mr. Hardeep Singh Puri, Ambassador & Permanent Representative of India
Chairman, UNSC Somalia/Eritrea Sanctions Committee
United Nations Headquarters

CC Mr. Jarstad Choppa, Coordinator, Monitoring Group on Somalia and Eritrea
AU, IGAD, AMISOM, UN Political Office for Somalia

+252-615538899, +252-618000015, E-mail: pmoffice@pm.gov.so, hatarah2@gmail.com Mogadishu, Somalia

Annex 9.1.c: President Hassan Sheikh press release upholding UN Charcoal Ban

Jamhuuriyadda Soomaaliya
Madaxtooyada
Madaxa Xafiiska Madaxweynaha
Agaasimka Warfaafinta

جمهورية الصومال
رئاسة
مدير مكتب الرئيس
مدير الإعلام

Republic of Somalia
The Presidency
Office of the Chief of Staff
Directorate of Communications

JS/XMD/2012/549/12 Date 27/10/2012

Press Release

Statement on the Charcoal Export at Kismayu Port

Mogadishu — October 27, 2012 The Somali government mandates the ban of charcoal exports in line with the UN Security Council resolution where all member states were asked to take the necessary measures to prevent the export and import of charcoal from Somalia which the Government of Somalia previously requested the request for the ban on the grounds that the charcoal business is not only hazardous to the environment but also detrimental to the security efforts.

Therefore, we express our deep concern on any possible violation of the UN security council resolution that bans charcoal and the government is in the process of forming task force to make sure and prevent any violations of the charcoal ban.

The Federal Government is pleased by what has been achieved since the takeover of Kismayu by the Somali forces and AMISOM. The local leaders of Kismayu have the responsibility to put the people first above any political differences and self interests what so ever and to ensure security, stability and restore confidence to the public.

The daily position of the Somali Government is to maintain the seaport and the air port facility solely open for humanitarian assistance. AMISOM and Somali forces are making sure to keep this task until an interim administration is established in due course.

It is the solid belief of the Somali Government that the people of Kismayu are fed up with counter productive politics, warlordism and extremism and they deserve security, stability, basic service delivery and prosperous future. Therefore, the charcoal at the port will be stored for the time being so as the government to come up with the best course of action to deal with it in time.

The Somali Government is committed in bonds with the UN Security Council Resolution 2036 and calls for the uphold of the ban and stand ready to continue to assist the people of Kismayu. We are taking full responsibility to mobilize humanitarian assistance and the government is in the process of sending ship of aid from the federal government to the people of Kismayu.

-END-

Sukdar A. Farahsee
Communication Directo
Office of the Somali Presiden
Mogadishu, Somalia

Annex 9.1.d: Letter creating President's Task Force on charcoal

Jamhuuriyadda Federaalka Soomaaliya
Madaxtooyada
Xafiiska Agaasimaha Guud

جمهورية فيدرالية صومال الصومالية
الرئاسة
مدير مكتب الرئيس

Federal Republic of Somalia
The Presidency
Office of the Chief of Staff

[illegible] November [illegible] 2012

Sub: Creation of a Task Force for the Charcoal Stock at the Kismayo Port

As per the instruction of the commander in chief Federal Republic of Somalia, H. E. **Hassan Sheikh Mohamud** and in reference to the Press statement from the Office of the President on 27th October 2012 regarding the charcoal stock at the Kismayo Port, I am pleased to announce the Creation of a Task Force for the Charcoal Stockade at the Kismayo Port.

The task force shall oversee the consistency of the members of the National Institutions such as ministries, our partners, the private sector, the community environmental activists and experts and it is charged with assessing the situation, conducting a thorough investigation of the matter and compiling a thorough report with [illegible] the deadline of [illegible] days from the date of the enactment.

- [illegible] stock in the charcoal, domestic, quantity and estimated cost and who is the main [illegible] of that [illegible]
- [illegible] ways to avoid the charcoal in the external market, including mode of transportation and other means of destination to the different local markets.
- [illegible] ways to curb the [illegible] the current situation
- [illegible] ways to collaborate the international community to support the utilization of the current stock (charcoal) [illegible] AMISOM and AM SOM

I hereby [illegible] the following members task force made of:

	Gen. Abdulahi Ali Adinoor	Somali National Army
2.	Ubax Abdulwadi Hirsi	Ministry of Finance, Office
3.	Hussein Abdi Dhaku	Ministry of Interior and Security / Humanitarian Department
4.	Ahmed Abdulkarim Hussein	National Port authority
5.	Hamza Abdi Ali	Civil Society
6.	Abdishakur Ali Mire	Civil Society
7.	Ali Yusuf Hirsi	Elders
8.	Bunar Mohamed Ali	Environmental Activist
9.	Saalax Ibrahim Ahmed	Chamber of Commerce

While we request the good faith of cooperation with the Task Force we are confident that it will be successful as it is [illegible] to our

Kaahiye Abdi D. Hussein
Chief of Staff

Annex 9.1.e: AMISOM statement regarding charcoal export

AFRICAN UNION — UNION AFRICAINE

الاتحاد الأفريقي — UNIÃO AFRICANA

African Union Mission for Somalia
P.O. Box 20181, 00200 Tel: +254 20 7216201 Fax: +254 20 7216275, Nairobi, Kenya

AMISOM regret reports that charcoal is being exported out of Somalia in violation of United Nation Security Council resolution 2036 and Somali national law. Although AMISOM is not mandated to scrutinize commercial activities in Somalia, the failure [illegible] is responsible in contributing to restore peace, security and law and order in the country. In this regard AMISOM reaffirms its commitment to support the Federal Government of Somalia in its efforts to stamp out the illegal trade in charcoal.

AMISOM welcomes the Somali government's decision in forming a Task Force to deal with the issue. The Mission will fully cooperate with the Task Force and do all that is [illegible] to facilitate its work.

For more information, please contact:
[illegible]

Annex 9.1.f: Stockpiles with new charcoal on 12 November 2012

Annex 9.1.g: KDF presence at Kismayo port during charcoal loading

LOADING OF CHARCOAL AT KISMAYO SEAPORT
AS OF 06 NOVEMBER 2012
AMISOM/SECTOR 2 APCs DEPLOYED AT KISMAYO SEAPORT DURING LOADING OF CHARCOAL;

Kismayo port on 22 April 2013

Annex 9.1.h: Photos of charcoal stockpile in Kismayo

Stockpile in Kismayo on 12 November 2012

Stockpiles in Kismayo on 12 April 2013

Annex 9.2: Somali charcoal exportation and trade

Scale of exportation

1. Since November 2012, the principal ports systematically exporting charcoal from Somalia have been KDF/AMISOM/Ras Kamboni-controlled Kismayo and Al-Shabaab-controlled Barawe. In addition, though, there are on-going, more idiosyncratic exports of charcoal from smaller ports at Buur Gaabo, Anole, Koday and Koyaama, all south of Kismayo, where stockpiles also exist.

2. The Monitoring Group previously estimated that, in 2011, some 9 to 11 million sacks of charcoal were exported from Somalia, generating for Al-Shabaab annual revenues in excess of 25 million USD.[1] At the rate of export since November 2012, the Monitoring Group estimates that this number is rising to 24 million sacks per year and represents an overall international market value of 360 to 384 million USD, with profits divided along the charcoal trade supply chain, including for Al-Shabaab. In other words, the scale of charcoal export from Somalia has increased by 140 per cent.

3. This increased production has devastating environmental effects. Based on UNEP calculations, the production of 24 million sacks of charcoal in 2012-2013 would require 10.5 million trees, and given the average density of 60 Acacia trees per hectare, the area of deforestation would cover 676 square miles, which is larger than the city of Houston, Texas in the United States.[2] The level of increased production makes this trade ultimately unsustainable, but destructive to Somalia's few fertile areas in the meantime.

Port of Kismayo

4. While the Monitoring Group has generally been able to track some 70-80 per cent of charcoal exports from Kismayo through shipping cargo records, imports at destinations, and other photographic and documentary sources, it was aware that its data was incomplete. Through the course of its mandate, further photographic and documentary evidence, as well as testimonies of charcoal traders, revealed additional shipping. On the preponderance of the evidence compiled, including average shipping rates, the Monitoring Group conservatively estimates that, since November 2012, approximately one million sacks of charcoal valued at 15 to 16 million USD have been exported on a monthly basis.. Charcoal traders in Dubai claim the amount to be far more, but the Monitoring Group could not verify how much more.[3] Although, the Monitoring Group bases its estimates on 25-kilogram sacks, while charcoal sacks exported from Kismayo range from 25 to 35 kilograms and in some cases they may be as large as 50 kilograms.

[1] S/2012/544, Annex 2.1, paragraph 4.
[2] Calculations based on data from http://postconflict.unep.ch/publications/dmb_somalia.pdf, p. 42.
[3] Interview with Dubai charcoal traders, 13 April 2013.

5. The port of Kismayo has the capacity to dock more than 22 dhows and one to two ships at a time. The Monitoring Group confirmed that since November 2012, on average 17 vessels docked at Kismayo port at any given time.[4] It can take up to a week for a vessel to offload its cargo and reload manually.[5] In principle, therefore, the port has the capacity to service 88 vessels in a month, but more realistically given the port operations and infrastructure it could service about 50 vessels. Analysis of data collected during port visits (between November 2012 and May 2013) indicates that Kismayo port serviced an average of 29 vessels per month, including about two of these being larger ships.[6] In December 2012, for instance, the Monitoring Group confirmed that 31 dhows and two ships loaded charcoal for export from Kismayo (see annex 9.2.a).[7]

6. Smaller wooden boats or dhows on average load 33,000 sacks of charcoal weighing 25 kilograms, but have the capacity to load up to 50,000 sacks. Larger ships can load 100,000 to 150,000 sacks, or more depending upon the size of the vessel.[8] Given the average shipping traffic of 29 vessels, including two larger ships, confirms the conservative estimate that at least one million sacks or 25 million kilograms of charcoal have been exported per month from the port of Kismayo (see annex 9.2.a to view monthly aerial photos of the port).

Natural port of Barawe

7. Barawe, located north of Kismayo, remains under Al-Shabaab control and therefore is inaccessible and more difficult to monitor. Barawe is a natural beach port requiring ships to anchor offshore. Consequently, charcoal is first loaded onto smaller boats that then transfer the cargo to the ships offshore, a more time-consuming process. Dhow traffic is less frequent than Kismayo, with some 21 dhows anchoring off Barawe between February and May 2013. In addition, the Monitoring Group has been able to confirm that since October 2012 approximately six large ships per month loaded charcoal for export.[9] Based on the rate and capacity of the shipping traffic, the Monitoring Group estimates that between 600,000 and one million sacks of charcoal were likely loaded each month at Barawe. Since Al-Shabaab taxes charcoal at the rate of 2 USD per sack, the likely revenue for Al-Shabaab potentially amounts to 1.2 to 2 million USD per month. The main company in Barawe exporting charcoal is called "Taqfir."[10]

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[4] Information based on monthly photographic evidence of vessels docked at Kismayo port obtained by the Monitoring Group.

[5] Information based on Monitoring Group visits to the port of Kismayo on 12 November 2012, 11 March 2013 and 12 April 2013, as well as interviews with charcoal traders and boat captains on 20 November 2012 and 13 April 2013.

[6] Data is based on a combination of documentary shipping data, photographic evidence, visual inspections by the Monitoring Group and eyewitness testimony between November 2012 and May 2013.

[7] Data obtained from eyewitness sources on the ground in Kismayo, documentary shipping data and corresponding photographic evidence.

[8] Estimates based on Kismayo charcoal loading data obtained between November 2012 and May 2013.

[9] Information obtained from eyewitness testimonies on the ground in Barawe in combination with shipping tracking information.

[10] Interview with Somali shipper, Nairobi, 3 November 2012.

Barawe stockpile on 23 January 2013

Charcoal Trade Supply Chain

Charcoal production and Al-Shabaab

8. Charcoal is produced by cutting down and burning the *Acacia bussei* tree, which is a slow-burning hardwood this is prized by charcoal brokers for its longer burn-time and aromatic scent used as a luxury commodity for flavouring grilled meat in the Middle East.[11] The Kismayo area in particular is known for the highest quality charcoal in Somalia since the density of the wood produces larger pieces of charcoal. The majority of charcoal production occurs in southern Somalia in Al-Shabaab-controlled areas where the local market value of each sack of charcoal is 5 to 6 USD.

9. As production of charcoal dramatically increased in Badade, by February 2013, between 90 and 100 trucks daily were transporting charcoal to Kismayo.[12] At the Buulo Xaaji checkpoint, Al-Shabaab was taxing smaller 5-ton trucks 250 USD each and larger 12-ton trucks 500 USD each. As such, the daily revenue potential for Al-Shabaab at this one checkpoint amounted to between 22,500 USD and 50,000 USD, which equates to a monthly revenue income of between 675,000 USD and 1.5 million USD. However, this checkpoint is exceptional, given production in Badade, and is unlikely to remain generating this revenue for

[11] Interview with numerous charcoal traders in the UAE between December 2012 and April, 2013.
[12] Interview with confidential security and port sources in Kismayo, 21 February and 11 March 2013.

an extended period. Indeed, the location of checkpoints is fluid and depends on the potential advantage to be gained.

Kismayo charcoal traders

10. In addition to the 30 traders who identified themselves in the 22 October 2012 petition requesting a temporary lifting of the charcoal ban (see annex 9.1.a), the Monitoring Group has identified a broader list of 39 charcoal traders, of which about half are from the Majeerteen clan.[13] Many of the traders are Kenyan Somali and operate between Kismayo, Garissa in northeastern Kenya and Nairobi. These traders act as brokers for larger traders mostly in the UAE and representatives for individual consignments of charcoal being exported. They all operated in Kismayo throughout the period of Al-Shabaab's control. While some dealt with Al-Shabaab as a matter of practicality or for personal and clan reasons, others operated and continue to operate on behalf of Al-Shabaab. In addition, since most charcoal production is in Al-Shabaab-controlled areas, the traders necessarily need to maintain at the minimum commercial and logistical links with Al-Shabaab.[14] Indeed, months after KDF/AMISOM took control of Kismayo, Al-Shabaab flags painted on buildings have still not been removed due to local opposition.[15]

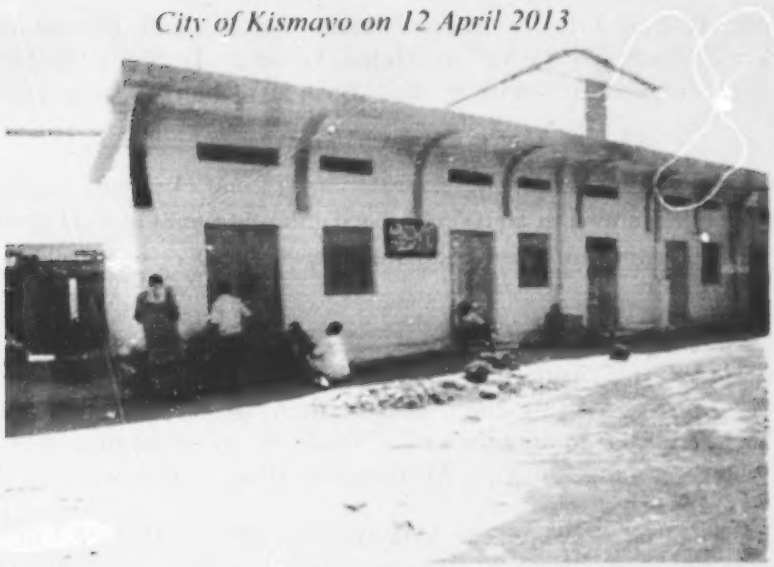
Kismayo Airport on 11 March 2013

[13] Information obtained from an analysis of a list of Juba Business Committtee traders.

[14] Information corroborated by several Somali sources with knowledge of the charcoal business in Kismayo in February and May 2013.

[15] Interview with a civil society member from Kismayo, Nairobi, 21 May 2013.

City of Kismayo on 12 April 2013



11. Of the Kismayo traders identified to have strong links with Al-Shabaab, there are two key businessmen responsible for a significant portion of the charcoal exports. First, Hassan Mohamud Yusuf (a.k.a. 'Awlibaax') from the Mareehan clan is the Chairman of the Juba Business Committee, which is a coalition of charcoal traders, and organized the 22 October petition (see annex 9.1.a). He has commercial and political links to Al-Shabaab, and represents their shareholding interests in Kismayo.[16] In addition, he is linked to the key charcoal businessman in Dubai, Saleh Da'ud Abdulla, whose ideological affiliation with Al-Shabaab has been previously identified by the Monitoring Group.[17] Second, Ali Ahmed Naaji, from the minority Cawro-maleh clan, arranges or provides loans to Al-Shabaab, and makes investments for them in South Sudan.[18] Of the 39 charcoal traders identified, the Monitoring Group calculates, based on port records indicating representatives of consignments, that Yusuf and Naaji control approximately 32 per cent of charcoal exports from Kismayo, mostly destined for Dubai, UAE.[19]

Charcoal businessmen in the GCC

12. Amongst charcoal traders in the Gulf Cooperation Council (GCC) countries, the Monitoring Group has identified six largest businessmen in Dubai, UAE, to be: Saleh Da'ud Abdulla (Al Baoon Trading Company); Baba Mansoor Ghayedi, (a.k.a. 'Haji Baba') (Al Qaed

[16] Interview with confidential source with knowledge of the charcoal trading business in Kenya and Somalia, 25 October 2012

[17] S/2011/433, pp. 181-182.

[18] Interview with confidential source with knowledge of the charcoal trading business in Kenya and Somalia, 25 October 2012.

[19] Information on representatives of individual consignments based on analysis of port records for the Port of Kismayo, November 2012 to April 2013.

International General Trading L.L.C.); Abdulshakkuur Ismail Farah (Hamil al-Misk); Hassan Diriye Farah (a.k.a. 'Dhurxul') (Wadi al Hejaz General Trading); Dahir Sheikh Omar Mohammed (Al Aqeed General Trading); and Basheer Khalif Moosa (Kismayo General Trading L.L.C.). [20]

13. Of these charcoal enterprises, Da'ud's Al Baoon Trading Company, previously described by the Monitoring Group,[21] and Haji Baba's Al Qaed International General Trading L.L.C. (see annex 9.2.b) control the majority of the market share in charcoal.

Al Baoon Trading Company

14. In 2011, the Monitoring Group identified Saleh Da'ud Abdulla, the owner of Al Baoon, as the most important trader exporting charcoal from then Al-Shabaab-controlled Kismayo and Barawe. He was described as an ideological affiliate of Al-Shabaab and a close business associate of Hassan Dheere, a high-ranking Al-Shabaab officer in Barawe.[22]

15. On 9 July 2012, Da'ud chartered the MV Robastar (IMO #8211590) to load 180,000 to 200,000 sacks of charcoal in Barawe for delivery to the Kingdom of Saudi Arabia (see annex 9.2.c). On 1 December 2012, the Robastar loaded 124,000 sacks of charcoal at the port of Kismayo. Da'ud[23] had chartered the vessel and Hassan Mohamud Yusuf (a.k.a. 'Awlibaax'), the charcoal trader in Kismayo, was the port representative for this consignment.[24]

16. Al Baoon is the listed owner of the MV Alba Star (IMO #8507561), which was observed loading charcoal at Barawe on 20 January 2013. On 29 January 2013, an eyewitness observed the MV Alba Star returning to the port of Barawe because of suspicious smoke on board the vessel. The charcoal on board had caught fire and had to be off-loaded in order to survey damage to the ship.[25] The MV Alba Star was also observed in Barawe on 21 February 2012 loading charcoal.

17. Hamil al-Misk, a Saudi Arabian company linked to Da'ud and another large charcoal trader in Dubai, Abdulshakkuur Ismail Farah, chartered the MV Loai IV (IMO #8221911)[26] to transport Somali charcoal to the Port of Jizan, Saudi Arabia. Loai Petroleum DMCC, located in Jumeirah Lake Towers, Dubai, UAE, is the owner of the Loai IV, which loaded between 100,000 and 150,000 sacks of charcoal in Barawe on 12 November 2012.[27] On 14 November 2012, in spite of the Security Council ban, Hamil al-Misk received a waiver from the Kingdom of Saudi Arabia to import 1,714,000 bags of charcoal purchased from Somalia (see

[20] Analysis of traders based on interviews with charcoal traders and shippers, as well as shipping documents and port information obtained between October 2012 and May 2013.
[21] S/2011/433, Annex 3.1.a.
[22] S/2011/433, Annex 3.1.
[23] Information confirmed by owner of MV Robastar on 4 March 2013.
[24] Information from shipping source in Kismayo.
[25] Interview with source in Barawe who witnessed the event, 29 January 2013.
[26] Interview with charcoal trader, Dubai, UAE, 14 April 2013.
[27] Information from local eyewitness source in Barawe on 12 November 2012.

annex 9.2.d). Instead of proceeding to Saudi Arabia, the Loai IV delivered the charcoal to Egypt. Hamil al-Misk initiated a legal suit in Egypt against Loai Petroleum DMCC, and the court ruled that the cargo belonged to Hamil al-Misk. However the decision was appealed and the cargo and ship are still at anchorage in Egypt pending the outcome of the case.[28]

Al Qaed International General Trading L.L.C.

18. The largest purchaser of charcoal in Dubai is Al Qaed International General Trading, which is owned by Baba Mansoor Ghayedi (a.k.a. Haji Baba).[29] Haji Baba is an Iranian national who has resided in Dubai for the past 17 years and has been involved in the importation of Somali charcoal for over 12 years. He described himself to the Monitoring Group as the "King of Charcoal" and said that he controls the charcoal market in Dubai.[30] One of his suppliers is Hassan Diriye Farah (a.k.a. 'Dhurxul') of Wadi al Hejaz General Trading,[31] who was previously identified by the Monitoring Group as a major UAE-based charcoal trader[32] and who continues to be an active charcoal trader.

Al Qaed International General Trading Warehouse in Dubai, UAE

[28] The Loai IV is confirmed to still be in anchorage in Egypt as of 3 June 2013.
[29] Identified by numerous Somali charcoal traders in Dubai, including Hassan Diriye Farah of Wadi al Hejaz General Trading. 16 December 2012.
[30] Interview with Haji Baba and his son, Ahmed Qaed, who is also part owner of the company, Dubai, UAE, 6 March 2013.
[31] Information received from Hassan Diriye Farah of Wadi al Hejaz General Trading on 16 December 2012. His nickname 'Dhurxul' means charcoal in Somali.
[32] S/2012/544, Annex 2.1, paragraph 8.

19. Contradicting his initial sentiments, Haji Baba subsequently claimed to the Monitoring Group that he has not imported Somali charcoal to the UAE since June 2012, and he only purchases charcoal at the Creek of Sharjah, after it has been processed by customs officials. He stated the paperwork indicates that the charcoal originates from Djibouti and Kenya, where charcoal exportation is also prohibited domestically.[33] In order to avoid the Security Council charcoal ban, many traders are obtaining false bills of lading from third countries to cover their trade in Somali charcoal (see annex 9.2.e).[34]

20. Despite his claim that he has not traded in Somali charcoal, in December 2012, Haji Baba chartered the Seagull D (IMO #8014382) to load 160,000 sacks of charcoal destined for Lebanon.[35] He arranged the charter through Abdihakim Musse Gelle, an agent for the Seagull D who works for a Syrian individual named "Abu Noor". On 1 December 2012, the Seagull D loaded 140,000 sacks of charcoal in Kismayo.[36] This vessel had originally been chartered by Da'ud under the company name Hamil al-Misk to export charcoal to Saudi Arabia. Between 8 and 14 December 2012, the Seagull D arrived in Barawe and loaded and unknown quantity of charcoal.[37] The charcoal was delivered to Lebanon and a court case over the ownership of the charcoal ensued.

21. Notably, on 18 September 2012, the UAE Permanent Representative to the United Nations in New York, sent an official correspondence to the Monitoring Group regarding an impounded shipment of 100,000 bags of Somali charcoal in the UAE (see annex 9.2.f). The Monitoring Group requested the UAE for additional details of the shipment but was unable to obtain any further information. Several charcoal traders in Dubai confirmed that the ship was the MV Nabil H (IMO#7911698),[38] and that the consignee for the shipment of the charcoal was Haji Baba. After 10,000 sacks were offloaded in Dubai, and at a certain point the charcoal was reloaded and the vessel left the port. The vessel was re-routed to Saudi Arabia, where it finally offloaded the charcoal.[39]

Al Aqeed General Trading

22. Notably, Haji Baba had a contract with Abdulshakkur Ismail Farah, the owner of Hamil al-Misk in partnership with Da'ud, to purchase 74,000 sacks of Somali charcoal to be imported

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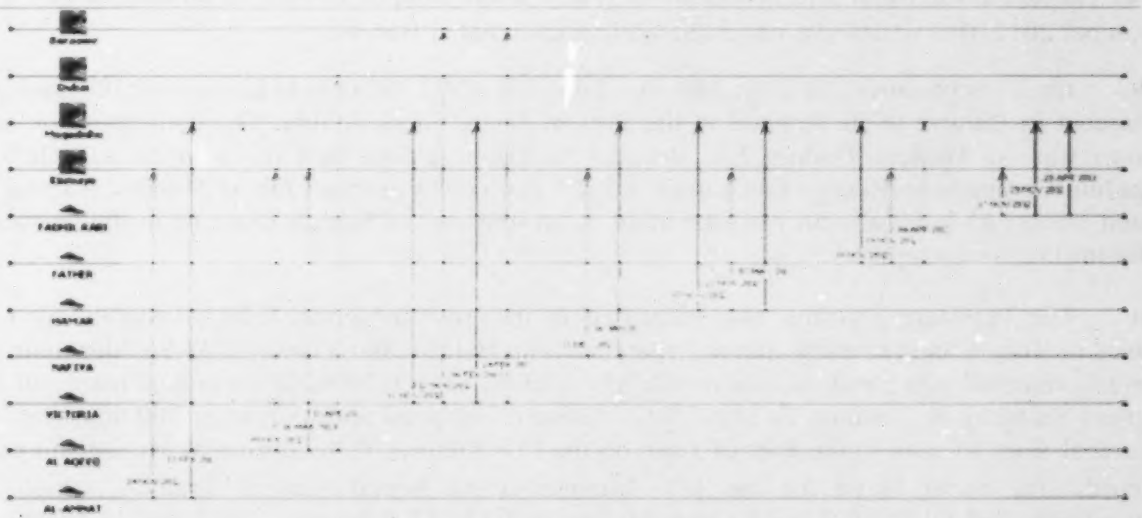
[33] Interview with Haji Baba and his son, Ahmed Qaed, who is also part owner of the company, Dubai, UAE, 6 March 2013.
[34] Information obtained from several Dubai-based charcoal traders in December 2012, and March-April 2013.
[35] Interview with Dubai charcoal trader, 14 April 2013.
[36] Documentary port information obtained from Kismayo. Said Isse 'Doon', who is an Al-Shabaab associate and a charcoal trader in Kismayo, was the port representative for this consignment.
[37] Information from confidential eyewitness source in Barawe, 19 December 2012.
[38] The owner is Hamadah Ar, Care of Tek Management Corp, Local M-6, El Dorado, Plaza Aventura Building, Via Ricardo J Alfaro Panama City, Panama.
[39] Interviews with Dubai charcoal traders, 20 November 2012.

into Kuwait in violation of the ban (see annex 9.2.g). The contract specified that the cargo would be transported on the MV Fadhil Rabi (IMO #7223039).[40]

23. On 30 October 2012, the Fadhil Rabi was photographed docked at the port of Kismayo and had already unloaded sugar and cement. The Monitoring Group learnt that Dahir Sheikh Omar Mohammed of Al Aqeed General Trading was managing this vessel, and contacted him on 4 November 2012. He stated that the ships and dhows docked in Kismayo were waiting for the Somali Government to authorize the loading of charcoal. By 5 November 2012, dhows had been loading with charcoal to be exported to the UAE. Dahir stated that the Fadhil Rabi left Kismayo that day empty.

24. On 20 November 2012, the Monitoring Group spoke again with Dahir, who stated that the Fadhil Rabi, after leaving Kismayo empty, was currently in Mogadishu loading cement and lemons to be transported to Dubai. However, the Monitoring Group obtained shipping data indicating that on 17 November 2012, the Fadhil Rabi completed loading 74,798 sacks of charcoal (1,869,950 kilograms) in Kismayo.[41] On 29 November 2012, the Fadhil Rabi was at the port of Mogadishu off-loading general cargo.

25. Al Aqeed General Trading is also linked to several ships and dhows that have transported charcoal from Kismayo and Barawe to Dubai.



[40] The owner of the vessel is Splash Maritime, care of Seaboard Shipping Services Ltd , 3rd Floor, Laxmi House, Moi Avenue, Mombasa, Kenya.

[41] Shipping data obtained from sources on the ground in Kismayo regarding port activity in May 2013.

Kismayo General Trading L.L.C.

26. Dahir Sheikh Omar Mohammed is also in partnership and shares an office with Basheer Khalif Moosa of Kismayo General Trading L.L.C. Dubai-based charcoal traders have described him as the "Father of all Dhows". On 7 January 2013, the MSV Al-Yusuf imported 47,663 sacks of charcoal (1,191,575 kilograms). The bill of lading indicated that this consignment was from Djibouti, the consignee was Kismayo General Trading and the shipper was Red Sea Transit and Transport in Djibouti (see annex 9.2.h). However, the MSV Al-Yusuf was docked in Kismayo on 24 December 2012, and the charcoal trader responsible for the consignment was Ali Naaji.[42] There is further evidence that the MSV Al-Yusuf loaded charcoal in Kismayo on 4 November 2012.[43] Basheer is connected to Red Sea Transit, and has been using them to obtain false bills of lading to import Somali charcoal.[44]

Other charcoal shipments

27. Gulf of Aden Shipping L.L.C. is the manager of the MV Topaz II (IMO #7924839), which loaded charcoal at Barawe in October 2012. Dubai-based shippers have stated that this company is using large ships to regularly import multiple loads of charcoal into Dubai.[45]

28. On 4 May 2013, the MV Soleil (IMO #8300482) (formerly named the MV Lady Jana) was photographed filled with charcoal at Port Rashid, Dubai, UAE (see annex 9.2.i).[46] In October 2012, this vessel was observed loading charcoal at Barawe.

29. On 27 September 2012, the MV Star Island H (IMO #8114364) loaded 140,000 bags of charcoal in Barawe to be shipped to the Port of Jizan, Saudi Arabia. The consignee for this cargo was Al Mudara Trading Est., located in Saudi Arabia, and the shipper was Horyal Trading Company in Barawe (see annex 9.2.j). The contact person for Al Mudara Trading is Saud Nasser Al-Mdra'a, who was identified as an importer of Somali charcoal in the previous Monitoring Group report.[47]

30. The Monitoring Group also identified in its previous report Talal Al-Saa'di, who is based in Riyadh and regularly imports charcoal from Barawe and Kismayo. Al-Saa'di imported Somali charcoal into Saudi Arabia on the MV Victoria (IMO#7906203), which is managed by Ajman Shipping & Trading. In May 2012, Al-Saa'di shipped approximately 100,000 bags of charcoal from Barawe to the Port of Jizan on the MV Victoria.[48] According to Mogadishu port records, the agent listed for the MV Victoria is Al Aqeed General Trading, which is owned/managed by Dahir Sheikh Omar Mohammed. On 12 November 2012 and 14 February

[42] Documentary shipping source pertaining to vessels at the port of Kismayo.
[43] Information obtained from sources at the port of Kismayo in April, 2013.
[44] Interview with charcoal traders in Dubai, UAE, 17 December 2012.
[45] Interview with Dubai shipping company, 5 March 2013.
[46] The ship owner is Dergham Marine SA, Panama City, Panama.
[47] S/2012/544, Annex 2.1, paragraph 20.
[48] S/2012/544, Annex 2.1, paragraph 27.

2013, the MV Victoria was observed loading charcoal at Barawe.[49] In February 2013, it had arrived at Barawe empty, after offloading in Mogadishu on 6 February 2013.

The Charcoal – Sugar Trade Cycle

31. The Monitoring Group has previously established the cyclical trade involving the importation of sugar to Somalia and the export of charcoal on the same vessels (S/2011/433). This is a continuing trend that Da'ud has incorporated into his business model. Da'ud's ship, the MV Alba Star, delivered 4.2 million kilograms of sugar and 150,000 kilograms of rice to the port of Mogadishu on 22 November 2012. According to port records, the vessel did not load cargo at the port of Mogadishu. Given the loss incurred against the original delivery if a vessel sails empty, many traders will send their vessels to Barawe or Kismayo to load charcoal for their return trip to the GCC. Analysis of vessels offloading at the port of Mogadishu indicates that 26 per cent identify their next port of call as Kismayo. The majority of these vessels originated in the Dubai, UAE. Some vessels offload only a portion of their cargo in Mogadishu before heading to Kismayo, and possibly Barawe. There are no destinations recorded for all other vessels.[50]

32. The MV Victoria also transported sugar to the port of Mogadishu on 1 November 2012 before it was observed loading charcoal in Barawe on 12 November 2012. Its previous port of call was the Port of Salalah, Oman.[51]

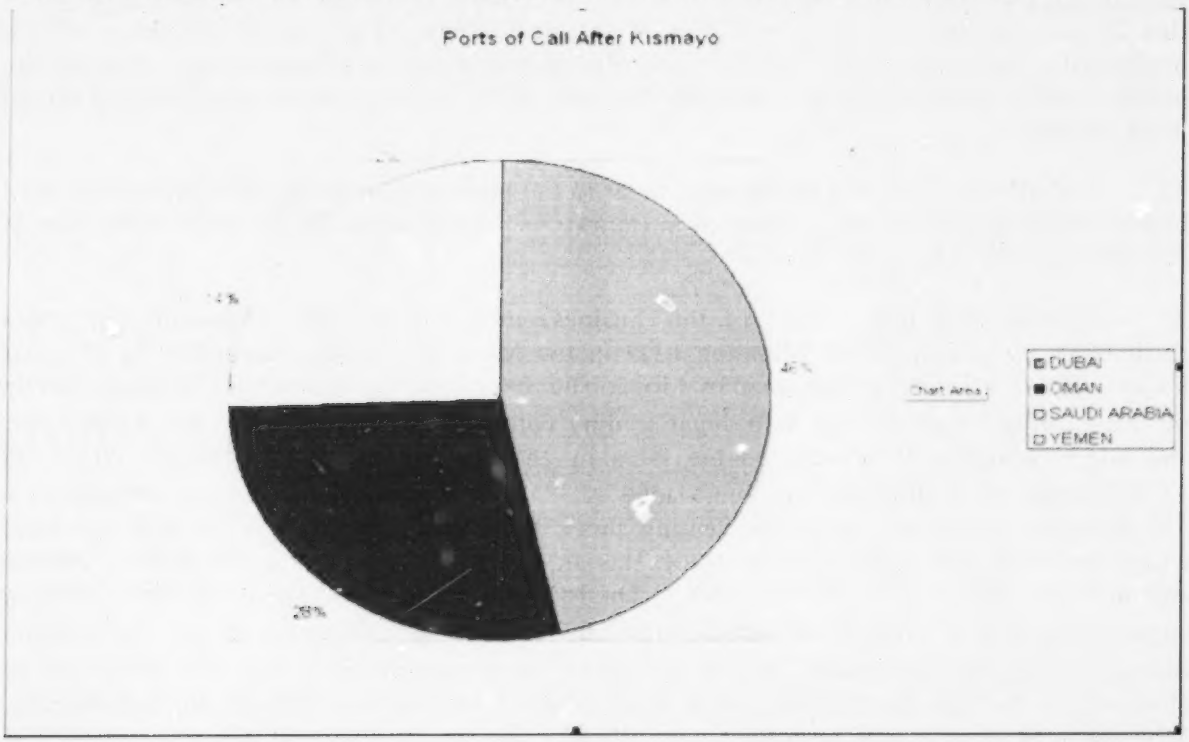
33. Another ship that is part of this business model is the MV Diamond Sun (IMO #8701923), owned by Aland Shipping LTD in the Marshall Islands. According to charcoal traders, this vessel is being chartered by Mogadishu Stars,[52] which was previously identified by the Monitoring Group Report as a sugar trading company closely linked to Ali Ahmed Nur Jim'aale,[53] designated for targeted measures by the Committee on 17 February 2012. On 16 November 2012, the Diamond Sun loaded 82,321 bags of charcoal at the port of Kismayo. The Kismayo charcoal trader representing this consignment was the Al-Shabaab affiliated Chairman of the Juba Business Committee, Hassan Mohamud Yusuf (a.k.a. 'Awlibaax') and the shipment was destined for Dubai, UAE.[54] On 16 January 2013, the Diamond Sun offloaded sugar at the port of Mogadishu and identified its next port of call as Kismayo.[55] Mogadishu Stars also had a contract with UNSOA for weekly charcoal deliveries of 52,175 kilograms of charcoal for the Ugandan and Burundian contingents of AMISOM in Mogadishu. Additionally, Mogadishu Stars also had a contract with UNSOA for weekly charcoal deliveries of 52,175 kilograms of charcoal for the Ugandan and Burindi AMISOM contingents in Mogadishu (see annex 9.2.k).

[49] Information from confidential source in Barawe, 12 November 2012 and 22 February 2013.
[50] Information obtained from Port of Mogadishu employees between November 2012 and May 2013.
[51] Information obtained from port employees in Mogadishu.
[52] Interview with Dubai-based charcoal trader, 14 April 2013
[53] S/2011/433, Annex 3.1, paragraph 16.
[54] Documentary information on shipping in Kismayo.
[55] Information from port records in Mogadishu.

34. On 14 December 2012, the MV Ashraf B (IMO #7126360) was observed loading charcoal at Barawe.[56] On 6 March 2013, it offloaded sugar at the Port of Mogadishu. On 6 April 2013, a fire erupted on board the vessel while it was en route from Djibouti to Dubai and three crewmembers perished.[57] Sources stated that the charcoal on the vessel caught fire,[58] which is not uncommon when transporting large quantities of charcoal, and the Ashraf B did not load any cargo before leaving Mogadishu.

Importing States

35. GCC countries continue to be the principal importers of Somali charcoal in violation of the Security Council ban. During the reporting period, , the main destinations have included the UAE and Saudi Arabia, as well as Egypt, Lebanon, Oman, Kuwait and Yemen.[59]



[60]

[56] Owned by Ashraf B Investment Corps, and managed by Alfamarine Shipping Co. Ltd., 1st Floor, Hamka Building, BP 9720, Labban Street, Beirut, Lebanon.

[57] See http://www.news.odin.tc/index.php?page=view article/290/Three-Syrian-crew-of-mv-Ashraf-asphyxiated-Oman.

[58] Interview with charcoal trader on 14 April 2013.

[59] Based on source data regarding vessel movement from the Port of Kismayo.

[60] Graph based on shipping data obtained from sources monitoring the port of Kismayo. Not all shipping data was captured through this means.

36. There are strong links between the Kismayo charcoal traders and the large charcoal businessmen in Dubai (see annex 9.2.l). The main offloading point for most dhows arriving into the UAE is the Creek of Sharjah, which is not secured and appears to be only minimally inspected by UAE officials. At any given time there are large numbers of dhows offloading charcoal, and crewmembers freely admit they have sailed from Somalia. On multiple occasions, the Monitoring Group has observed the offloading of Somali charcoal at the Creek of Sharjah (see annexes 9.2.m.i-vi).

37. On 6 December 2012, the UAE submitted to the Committee its report on implementation of Security Council resolution 2036 (2012), but domestic measures are yet to reduce the imports of charcoal from Somalia.

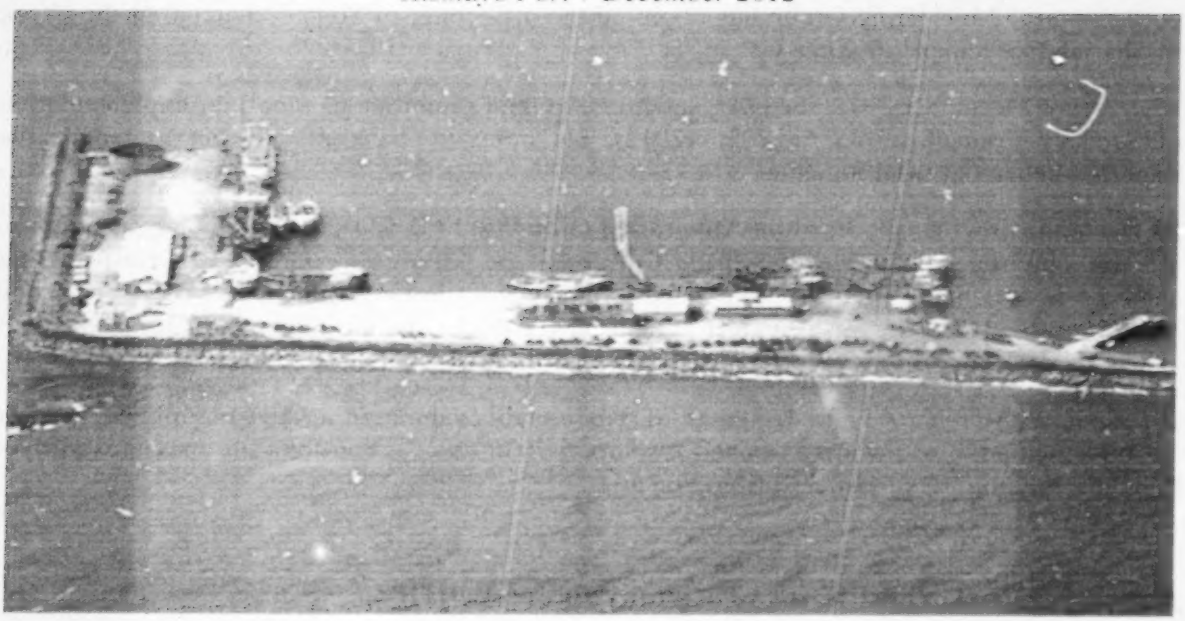
38. In the previous report of the Monitoring Group (S/2012/544), Saudi Arabia was noted as the top importer of charcoal in 2012. Currently, the Monitoring Group can confirm that charcoal is still being imported into Saudi Arabia, and the Government has on at least one occasion provided a waiver to import Somali charcoal in violation of the ban (see above and annex 9.2.d).

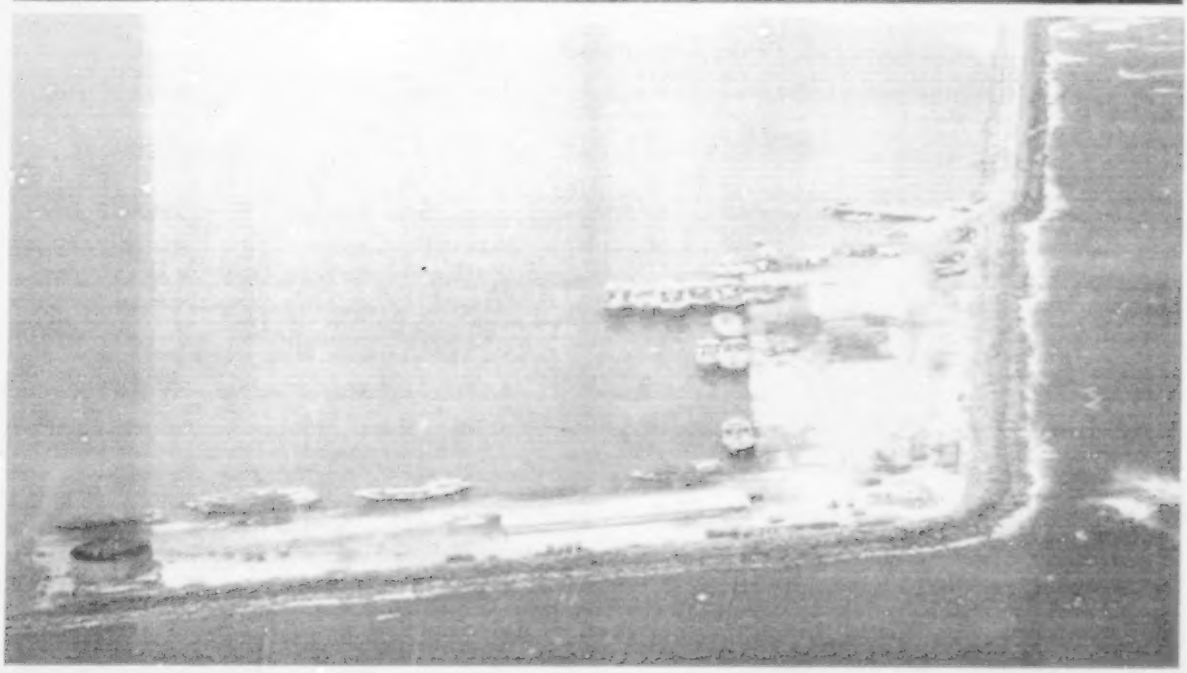
39. On 28 March 2013, the Kingdom of Saudi Arabia submitted to the Committee its report on implementation of Security Council resolution 2036 (2012), but domestic measures are yet to reduce the imports of charcoal from Somalia.

Annex 9.2.a: Aerial Photos of Kismayo Port Activity

Kismayo Port on 6 November 2012

Kismayo Port 7 December 2012





Kismayo Port 12 April 2013

Kismayo Port 5 May 2013

Kismayo Port 14 May 2013

Annex 9.2.b: Dubai Chamber of Commerce company profile for Al Qaed International General Trading L.L.C.

غرفة دبي
DUBAI CHAMBER

DATE

Company Profile

Member Number			
Company Name			
Nationality			
License Number		**License Issue Auth**	Department of Economic Development
Registration Date		**Commercial Reg No**	
Legal Status			

ADDRESS

Po Box Number			
Phone		**Fax**	**Email Address**
Area		**Street**	
Building Name			
License Issue Date		**License Expiry Date**	
Membership Renewal Date		**Membership Expiry Date**	
No Of Employees		**Authorized Capital**	

ACTIVITIES

General Trading

PARTNERS

NABIL ABBAS AHMAD SALMAN			PARTNER
AHMAD BABA GHAED			Managing Partner
BABA MANSOOR GHAYED			Managing Partner
MAHMOUD BABA GHAED			Managing Partner
MASOOD BABA GHAYED			Partner
MOHD MAHDI BABA GHAYED			Partner

More Business information on the mentioned company is available on Credit Rating Unit Call 800-CHAMBER (2426237)

Page 1

Annex 9.2.c: Charter Party for MV Robastar

RECOMMENDED
THE BALTIC AND INTERNATIONAL MARITIME COUNCIL
UNIFORM GENERAL CHARTER (AS REVISED 1922, 1976 and 1994)
(To be used for trades for which no specially approved form is in force)
CODE NAME: "GENCON"
Printed by The BIMCO Charter Party Editor

Part I

2. Place and Date
DUBAI 09th 2012

3. Owners/Place of business
ROBA STAR SHIPPING CO S.A

4. Charterers/Place of business
ALBAODN TRADING
MR SALEH DAWOOD
MOB - 0506256671
BAHAYA GENERAL TRADING
MR. AHMED BARRE
MOB - 0506256521

5. Vessel's name
M/V ROBA STAR

6. GRT/NRT
56512310

7. DWT all told on summer freeboard
8025 TON

8. Present position
MOGADISHU SOMALIA

9. Expected ready to load (abt.)
14-16 th 2012

10. Loading port or place
SPB AAAA BRAVA SOMALIA

11. Discharging port or place
SPB AAAA JIZAN KSA

12. Cargo (also state quantity and margin in Owners' option, if any)
MIN 180 000 TO 200 000 CHARCOAL IN BAGS UPTO FCC ACCORDING TO CAPTAIN M/V ROBA STAR

13. Freight rate (also state whether freight prepaid or payable on delivery)
9 dirham PER BAG

14. Freight payable to (also state currency and method of payment; also beneficiary and bank account)
USD 30,000 AT THE START OF LOADING.
-BALANCE UPON THE SHIP ARRIVAL ANCHORAGE JIZAN PORT

15. State if vessel's cargo gear shall not be used
SHIP GEARS TO BE USED BOTH ENDS AT 4 X 15 MTS

16. Number of days on demurrage rate (if any) payable by Charterers
16 DAY FH EXL EH

17. Shipper(s) (name(s) only)

18. Agents (loading)
CHRTS AGENT, D A CHRTS ACT

19. Agents (discharging)
OWNER AGENT, D A OWNER ACT

20. Demurrage rate and manner payable (loading and discharging)
USD $4000 PDPR'T HT

21. Laytime (if separate from Clause 16)
8 DAY FH EXL EH

22. Freight taxes payable by
24 DAY FH EXL EH

23. Agents (discharging)

24. Insurance (state value and type of insurance to be effected by Owners)
VESSEL IS FREE OF ANY EXTRA INSURANCE DUE TO HER AGE

25. Law and Arbitration (state 19, 20 or 21 as agreed; if 21 is agreed the place of arbitration must be stated)
ENGLISH LAW APPLIED, LONDON

26. Additional clauses covering special provisions, if agreed
LONDON YORK 94

27. Commission and to whom payable (if other than Owners)

28. Additional insurance cover, specify whether Owners' or Charterers'
MASTER HAVE RIGHTS TO REJECT DAMAGED BAGS. cargo TO BE REPLACED BY SOUND ONES SUFFICIENT EMPTY BAGS TO BE PROVIDED

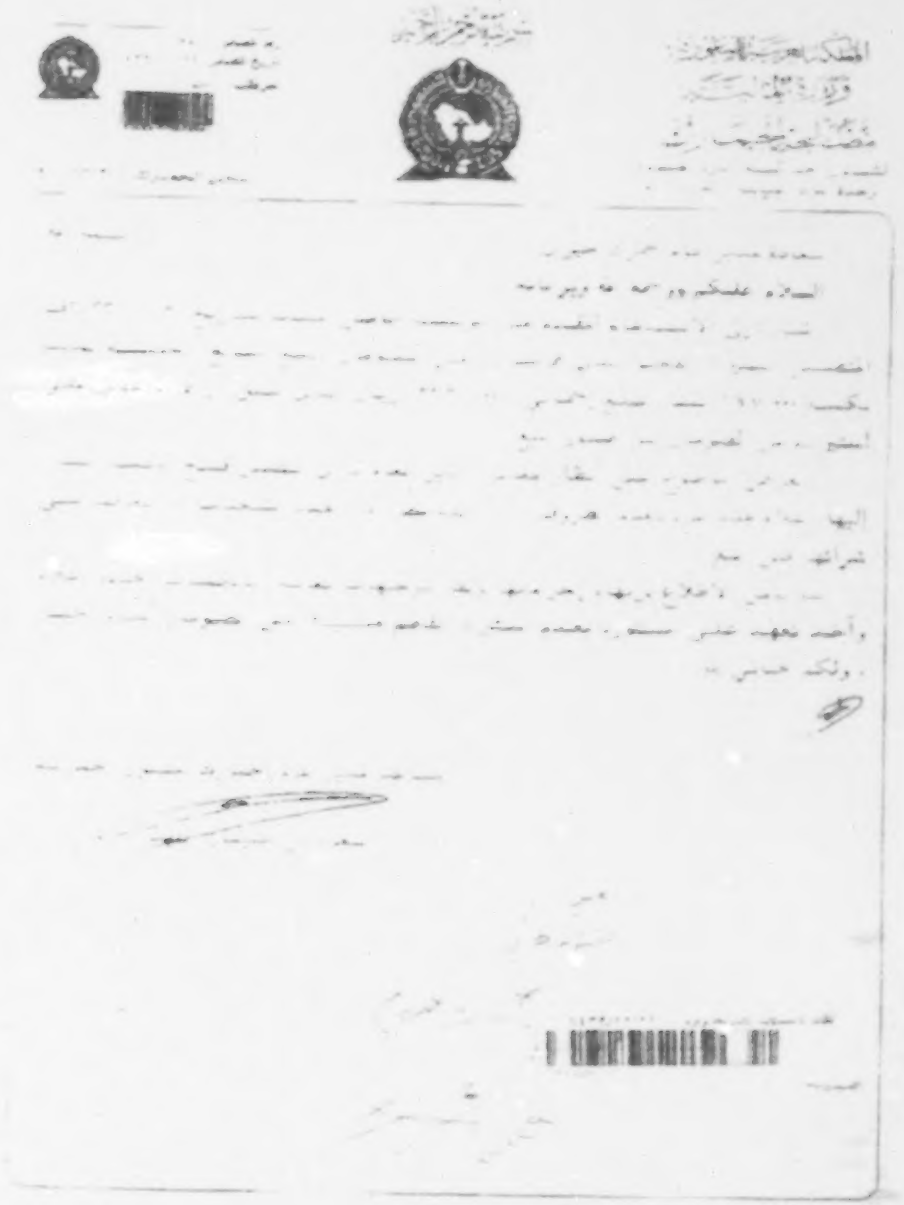
ملاحظه مهمه :1- يراقل تبنجره نقد 2 خرص من مبده مقيمبسو اني تارح يرو ه
2- نقف 5 ايله اي يرو ه تا له يبم لشحن سفر وبنه نقع عرمه لشغير ورجع بقي مبع نه يون
3- بنه نقع عربون 36720 $ قيمه 30 ثن نيرن + 10000 $ نفا بيه ذين تبنجره ... خصاي نهيون = 46720 $

29. It is mutually agreed that this Contract shall be performed subject to the conditions contained in this Charter Party which shall include Part I as well as Part II. In the event of a conflict of conditions, the provisions of Part I shall prevail over those of Part II to the extent of such conflict.

Signature (Owners)

Signature (Charterers)

Annex 9.2.d: Charcoal Import Waiver from Kingdom of Saudi Arabia



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Annex 9.2.e: False Kenyan Bills of Lading

CERTIFICATE OF ORIGIN

SEE OVER LEAF FOR CONDITION OF ISSUE

NO.OC

ORIGINAL

1.Exporter's Name:
[illegible]

The Kenya national chamber of Commerce & Industry
Fidelity shield insurance Bldg,Nkrumah
P.O box40055-80100 Mombasa
Tel:254-41-2216161
Cell:254 721373343
Email: info@kenyachamber.co.ke
Website: www.kenyachamber.co.ke
Approved and designated as anissuing Authority by the Government of Kenya

2. Consignee's name and Address
[illegible]

5. Country of Origin

6. Country of Destination

3. Mode of shipment : sea, Air, Rail, Road

7. customs export's code No.

8. Pin Code

9. Trading licence No.

10. Bill of lading /airway Bill No. [illegible] KF.[illegible]9022

11.marks /No. of packages	12.tariff No.	13.Description of Goods	14.Gross weight	15.Invoice No.	16 value
					73600

17.DECLARATION BY EXPORTERS
I /We the undersigned declare that all particulars Given here are true and correct and undertake to supply supporting documentary evidence if Required

Signature .....

Designation of declarer

Company stamp /seal

Date

18. ENDORSEMENT BY KNCCI
Signature

.....

.....

Date [illegible]

KENYA NATIONAL CHAMBER OF COMMERCE & INDUSTRY
Official stamp
KENYA

CONDITION OF ISSUE

(i) the form may be completed by any process provided that the entries are indelible and legible;

(ii) neither erasure nor superimposition should be allowed on the certificate. Any alteration should be made by striking out the erroneous entries and not erasing. And making alterations required. Such alteration should be countersigned;

(iii) any unused space in the box be crossed out to prevent any subsequent addition;

(iv) this certificate does not apply for goods [illegible] Applicant.

Should ensure that goods are [illegible] certificate included in the [illegible]

(v) the issuing authority shall at it's own discretion carry out physical inspection of goods indicates in the certificate including location to ascertain [illegible]

(vi) This certificate serves the purpose of any certificate that may be required to be issued by the department of external trade (DET) of the government of [illegible]

kenya

KENYA
DUBAI

E.A.C.E BUSINESS CO.LTD

DATE

TO
AL MANKHOOL GENERAL TRADING LLC
FAX
TEL
P.O. BOX

SHIP TO
AL MANKHOOL GENERAL TRADING LLC
FAX
TEL
P.O. BOX

Sales Ref	Ship Date	COUNTRY OF ORIGIN	CIF	Terms
		UGANDA		TT

Description	Quantity	GROSSWEIGHT	Unit Price	Total

NATIONAL CHAMBER OF COMMERCE & INDUSTRY KENYA 2

Annex 9.2.f: Letter from the Permanent Mission of the U.A.E. to the United Nations in New York

PERMANENT MISSION OF THE
UNITED ARAB EMIRATES
TO THE UNITED NATIONS
NEW YORK

Ref: 2012/9/0

18 September 2012

Mr. Sara Chaves
Coordinator
Monitoring Group on Somalia and Eritrea
Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009)
United Nations
New York

Dear Mr. Chaves,

I have the honour to inform you that the UAE Customs authorities have impounded a shipment of [illegible] pursuant to the Security Council resolution 2036(2012).

The UAE authorities are enquiring on the following:

- Who will bear the cost of the ground charges where the shipment is currently being held and also for the subsequent storage?
- Could the shipment be auctioned? If yes, what procedures should be taken in regard to the proceeds of the auctioned goods? If not to be auctioned, what should be done with the impounded goods?

It would be very appreciative if the Committee would positively advise on this issue.

Please accept the assurances of my highest consideration.

Ahmed Al-Jarman
Ambassador
Permanent Representative

Annex 9.2.g: Contract for Purchase of Somali Charcoal with English Translation

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Al Ujaid International General Trading LLC

Wholesale and retail

Contract of sale for goods (charcoal) on board the vessel *Fadi Rahn*

Preamble

Second Part: Sale of goods on board the vessel

1. The seller affirms that he owns [illegible] and that the goods that are the subject of the present contract [illegible] are not encumbered by any [illegible] and that no third party has any claim over them.

2. [illegible] the total quantity of [illegible] kilograms of charcoal.

3. The first party affirms that the goods on board the vessel are uniform to what was agreed upon and shall be of uniform quality, without defects in the surface, middle and interior parts of the vessel.

4. The price of each bag shall be [illegible] United Arab Emirates dirhams. The total amount due shall be [illegible] AE dirhams, equivalent to the value of the charcoal on board the vessel.

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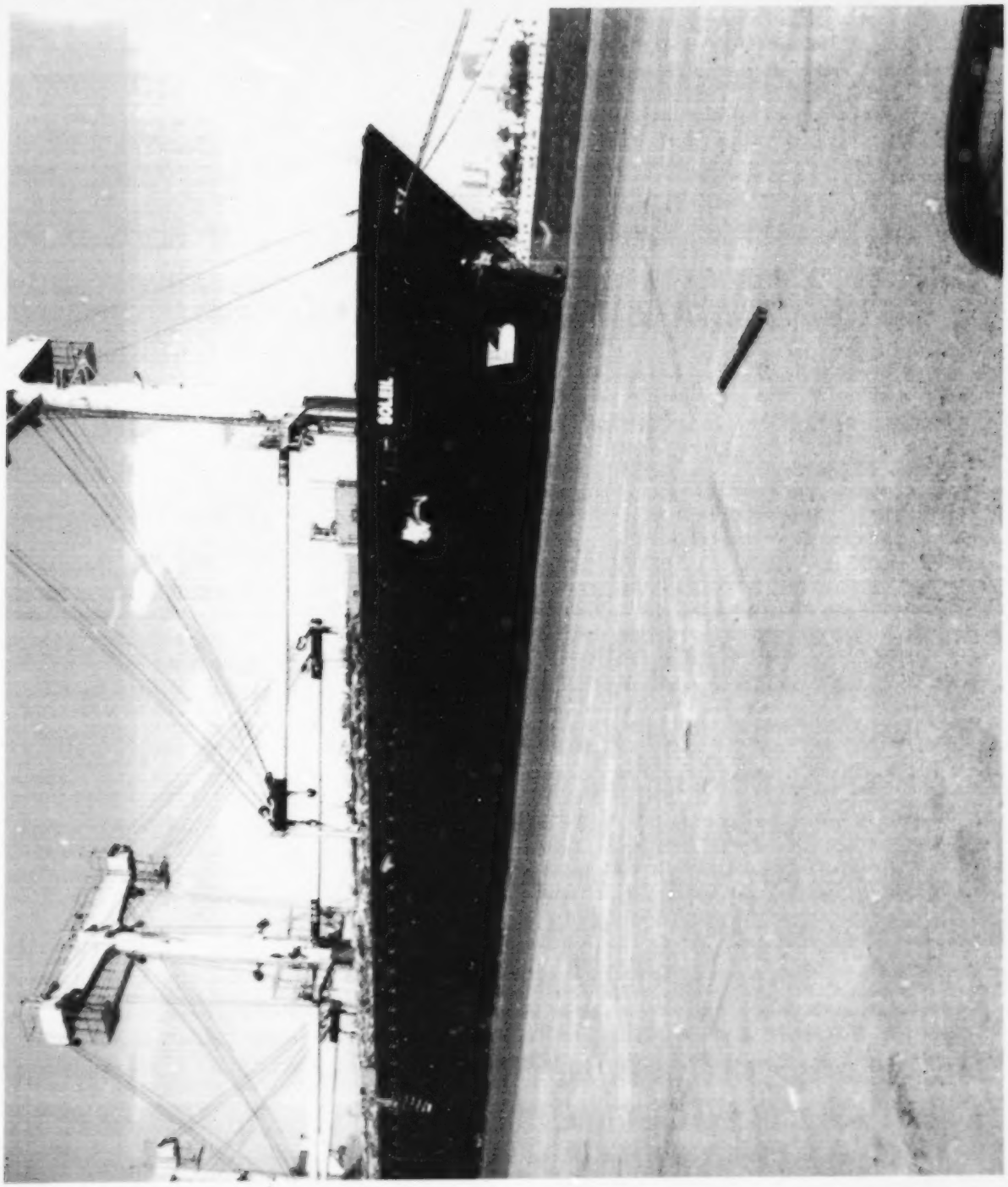
Annex 9.2.h: False Djibouti Bill of Lading for MSV Al-Yusuf

CLARKSON & SHEWAN SHIPPING SERVICES S.A.R.L

MANIFESTE DU SAILING

Bill of Lading No.

Annex 9.2.i: MV Soleil with Charcoal at Port Rashid on 4 May 2013



Annex 9.2.j: Bill of Lading and Manifest for the Star Island H

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Annex 9.2.k: UNSOA Charcoal Contract with Mogadishu Stars

UNITED NATIONS NATIONS UNIES

UNSOA

PURCHASE ORDER
13SOA- 130083

Date
Time
Page 1 of 4

Delivery Due

Ship To

Bill To

Vendor

Payment Terms
Payment Method
Delivery Terms

Delivery Mode

Buyer

Account

Phone

States in US$

Line No	Item ID	Description	Qty	U/M	Unit Price	Tax	Freight	Discount	Total Price
	363913								
2	363913								

Total Number of Lines

Extended Description

Reference

Requisition No

This Purchase Order is issued upon the Vendor's offer dated August 2013 in response to RFQ/ Request for Quotation dated 31 August 2013, which are incorporated herein by reference and form an integral part of this Purchase Order.

This shipment is to be delivered at Point (DAP) Uganda Track HQ, Airport Mogadishu, Somalia and (DAP) Sector Contingent Location Mogadishu, Somalia in accordance with the Incoterms 2010

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PURCHASE ORDER

13SOA- 130083

BEST COPY AVAILABLE

PURCHASE ORDER

1350A- 130083

Date
Terms
Page 3 of 4

Delivery Due

13-36185

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PURCHASE ORDER

1350A - 130083

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UNITED NATIONS NATIONS UNIES

UNSC

REQUISITION

Date Due

13SUP 130043 Revision: 0

Date:

Time:

Page:

Ship To:

Bill To:

Account:

Creation Date:

Approval Date:

Section Reference:

Status: RLAT

Requestor Type:

Requestor:

Contact Person:

Certifying Officer:

Section Chief:

Currency: USD

Total Cost of Lines:

Total Freight:

Requisition Total:

Gross Additional Funds:

Requisition Total USD:

Note:

Line No.	Item Number	Quantity	Unit Cost	U. M.	Total Cost
					11,440.00

Line Status: RLAT

Account:

					2,062.50

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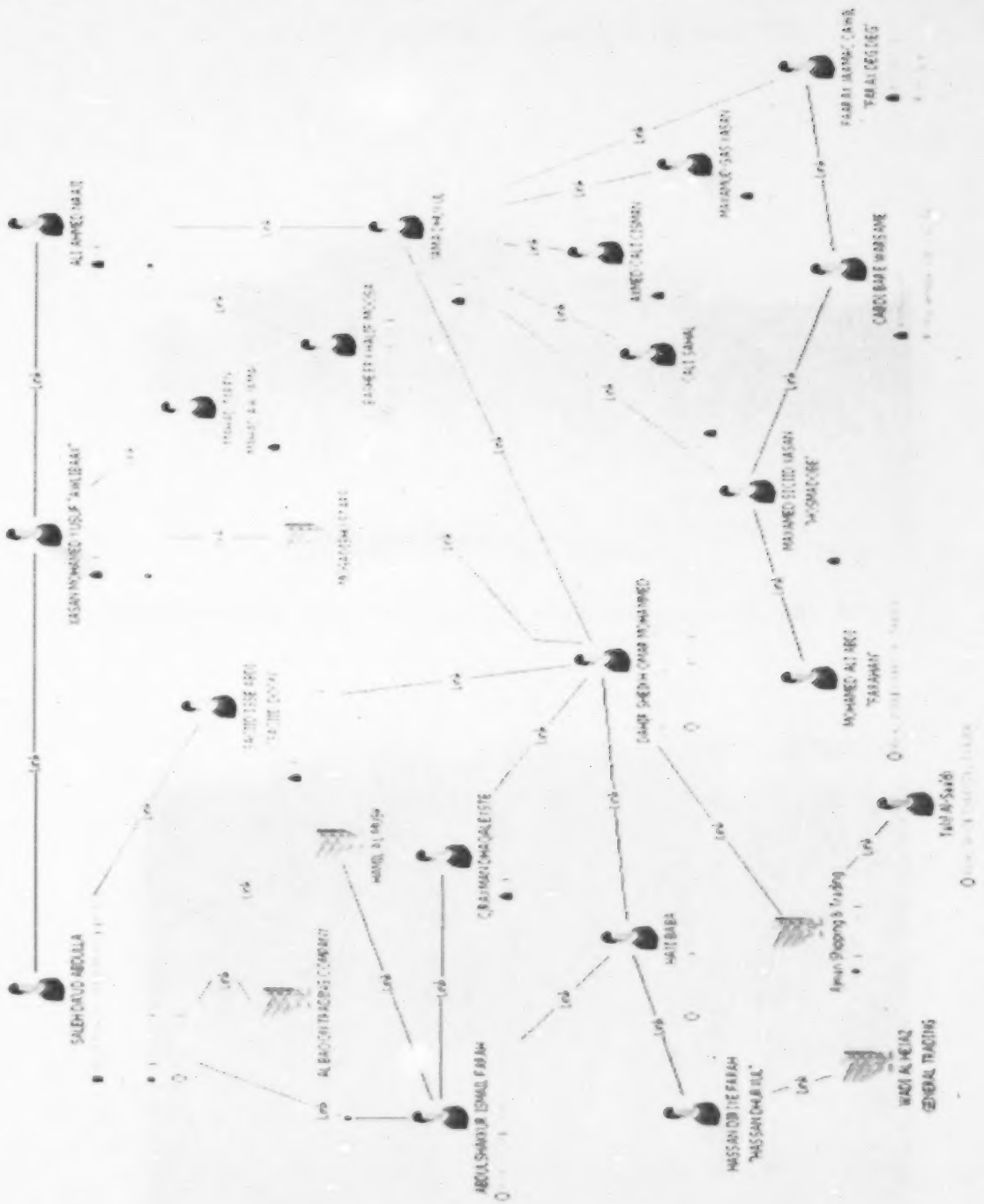
Annex 9.2.1: Charcoal Trader Link Chart



Annex 9.2.m.i: MSV Bhumika in Dubai, UAE and Kismayo

MSV Bhumika in Kismayo, Somalia on 13 November 2012

MSV Bhumika in Creek of Sharjah, Dubai, UAE on 14 December 2012

MSV Bhumika in Creek of Sharjah, Dubai, UAE on 6 March 2013

Annex 9.2.m.ii: MSV Sikka Star in Dubai, UAE and Kismayo

MSV Sikka Star in Kismayo, Somalia on 16 January 2013

MSV Sikka Star in Creek of Sharjah, Dubai, UAE on 6 March 2013

Annex 9.2.m.iii: MSV Al Aqeeq in Dubai, UAE and Kismayo

MSV Al Aqeeq in Kismayo, Somalia on 12 November 2012

MSV Al Aqeeq in Creek of Sharjah, Dubai, UAE on 15 April 2013

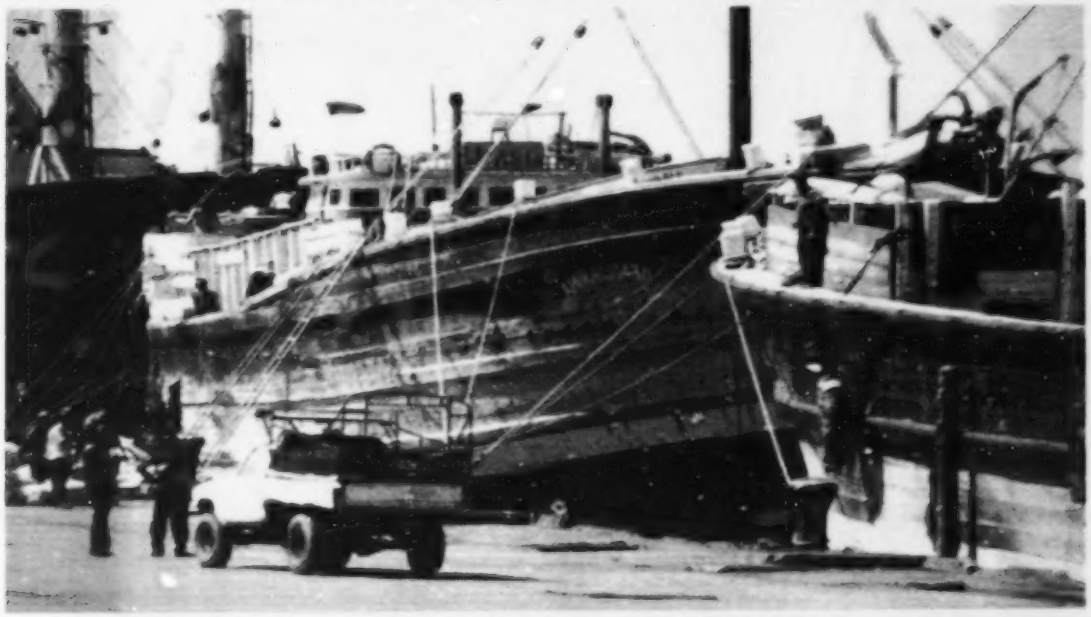
Annex 9.2.m.iv: MSV Al Aqsa in Dubai, UAE and Kismayo

MSV Al Aqsa in Kismayo, Somalia on 16 January 2013

MSV Al Aqsa in Creek of Sharjah, Dubai, UAE on 6 March 2013

Annex 9.2.m.v: MSV Amir Ali in Dubai, UAE and Kismayo

MSV Amir Ali in Kismayo, Somalia on 12 November 2012



MSV Amir Ali in Creek of Sharjah, Dubai, UAE on 14 December 2012

Annex 9.2.m.vi: MSV Jayshree in Dubai, UAE and Kismayo

MSV Jayshree in Kismayo, Somalia on 28 February 2013

MSV Jayshree in Creek of Sharjah, Dubai, UAE on 15 April 2013

Annex 9.3: Vessels that have exported charcoal from Somalia*

Vessel	Barawe	Dubai	Kismayo	Mogadishu
AL ALAM			2	1
AL AMIR		1		
AL AQEEQ		1	2	
AL ASHIF			3	
AL ASHIQ MEDINA		1	1	1
AL ASMAR		1		
AL AZIZ		1		
AL AZZUDHIN		1		
AL BOGARI		1		
AL FAHAD			1	1
AL HAMZA		1		
AL HIJRAT		1		1
AL IRFAN		1		1
AL ISLAMI		1	1	
AL ISMAILI 2		1		
AL JAVED		1		
AL KABIR		1	2	
AL KADRI			2	1
Al MAJID			1	
AL MUKHTAR		1	2	2
AL RAFIQUE		1	1	
AL SAFA			1	
AL SHAFA			1	1
AL SHAH MURAD BUKHARI		1		
AL TALAL		1		
AL ZUBER			1	
AL-AMIN			2	1
AL-AMNAT			1	
ALAQSA		1	1	1
ALBA STAR	1			1
AL-DARIYA			1	
AL-EMARATES			1	
AL-GAZAL			1	1
AL-HASSAN			1	1
AL-ISLAM			1	1
AL-KOUSAR			1	1
AL-MISHAL			1	
AL-MOHAMED NAEEM			1	
AL-MUKALA			1	
AL-NASIR			1	
AL-NASRI			1	
AL-NAZIR			3	2

Vessel	Barawe	Dubai	Kismayo	Mogadishu
AL-NOMAN			1	1
AL-OMAR			1	2
AL-REHAN			1	1
AL-SAYIN			2	
AL-SHENA HIND			1	1
AL-YASIN			1	1
AL-YUSUF			2	1
AMIR ALI		1	1	
ANIMOL SAGAR			2	1
ANJALIPUJA			1	
ARZOO			3	1
ASHMA			1	1
ASHRAF B	1			1
BARABI (BARARI)			1	1
BHUMIKA		2	2	1
BOGARI		1	1	
DAAWOOD		1	1	
DANA-DINA	1			
DIAMOND MOON			2	1
DIAMOND SUN			1	5
FADHIL RABI			1	1
FAIZANI MOHAMED			2	1
FATHER			1	1
FAZUL BARAKAT			1	1
FILAAZI			1	
HAJI ISMAIL		1		
HAMAR			1	1
HARI PRASAD			1	
HARIDARSHAN		1		
HARSHA SAGAR		1		1
JAYSHREE		1	2	1
JEEL			2	1
JEYA JAMNAT			1	2
KASHRI			1	1
KRISHNA JYOT		1		1
LADY JANA-SOLEIL	1	1		
LOAI IV	3			
MADHAV		1		
MAHA LAHMI SAGAR			1	1
MAYALUNA			1	
MISHALI			1	1
MOHAMED SAALIM			1	
MOINUDDIN CHSTY			2	1
NAFEYA			1	

Vessel	Barawe	Dubai	Kismayo	Mogadishu
NARSIG			1	
NASRI KARAM			1	
NECMATU LAH			1	1
NIAH ALFA			1	
NIGHT MAKHDUMI			1	2
NUUR MUSTAFA			1	
RAJ MILAN			1	1
ROBA STAR			1	1
SAFINA AL HAJIALI		1		
Vessel	Barawe	Dubai	Kismayo	Mogadishu
SAGAR SAMRAT			1	
SAZYA NARAYAN			1	1
SEA GULL	1		1	
SEA STAR			1	1
SHANE HIND		1	1	1
SHARDA SAGAR		1	2	2
SHREE NOUSAD			2	2
SIKKA STAR		1	1	1
STAR ISLAND H	1			
SVC10			1	
SVCT 201			1	
SVCT210			1	
TARANHAR		1		
TOPAZ II	1			
USRA SAGAR			1	
VICTORIA	1			1
VIRAT		1		1
VISH VAKALYAN			1	1

* This list of vessels exporting charcoal is not comprehensive. but represents those vessels which the Monitoring Group has to date confirmed carried charcoal from Somalia.